

SENATE

FRIDAY, February 6, 1925

(Legislative day of Tuesday, February 3, 1925)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, its enrolling clerk, announced that the House had passed a bill (H. R. 11505) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1926, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker of the House had affixed his signature to the following enrolled bills and joint resolution, and they were thereupon signed by the President pro tempore:

S. 2975. An act validating certain applications for, and entries of public lands, and for other purposes;

S. 3622. An act granting the consent of Congress to the police jury of Morehouse Parish, La., or the State Highway Commission of Louisiana to construct, maintain, and operate a bridge across the Bayou Bartholomew at each of the following-named points in Morehouse Parish, La.: Vester Ferry, Ward Ferry, and Zachary Ferry.

H. R. 646. An act to make valid and enforceable written provisions or agreements for arbitration of disputes arising out of contracts, maritime transactions, or commerce among the States or Territories or with foreign nations;

H. R. 4294. An act for the relief of heirs of Casimira Mendoza;

H. R. 5420. An act to provide fees to be charged by clerks of the district courts of the United States;

H. R. 6860. An act to authorize each of the judges of the United States District Court for the District of Hawaii to hold sessions of the said court separately at the same time;

H. R. 8369. An act to extend the period in which relief may be granted accountable officers of the War and Navy Departments, and for other purposes;

H. R. 9461. An act for the relief of Lieut. Richard Evelyn Byrd, jr., United States Navy; and

S. J. Res. 135. Joint resolution granting permission to the Roosevelt Memorial Association to procure plans and designs for a memorial to Theodore Roosevelt.

The PRESIDENT pro tempore announced his signature to the following enrolled bills and joint resolutions, which had been signed previously by the Speaker of the House of Representatives:

S. 2232. An act to amend section 2 of the act approved February 15, 1893, entitled "An act granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service";

S. 2848. An act to validate an agreement between the Secretary of War, acting on behalf of the United States, and the Washington Gas Light Co.;

S. 3392. An act to amend section 558 of the Code of Law for the District of Columbia;

S. 3884. An act granting the consent of Congress to the county of Independence, Ark., to construct, maintain, and operate a bridge across the White River, at or near the city of Batesville, in the county of Independence, in the State of Arkansas;

S. 3885. An act granting the consent of Congress to Harry E. Bovay, of Stuttgart, Ark., to construct, maintain, and operate a bridge across the Black River, at or near the city of Black Rock, in the county of Lawrence, in the State of Arkansas;

H. R. 8206. An act to amend the Judicial Code, and to further define the jurisdiction of the circuit courts of appeals and of the Supreme Court, and for other purposes;

H. R. 10413. An act to revive and reenact the act entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River, at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania," approved February 27, 1919;

H. R. 10724. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1926, and for other purposes;

H. R. 10887. An act granting the consent of Congress to the State of Alabama to construct a bridge across the Coosa River at Gadsden, Etowah County, Ala.;

H. R. 11035. An act granting the consent of Congress to the county of Allegheny and the county of Westmoreland, two of the counties of the State of Pennsylvania, jointly to construct, maintain, and operate a bridge across the Allegheny River at a point approximately 19.1 miles above the mouth of the river in the counties of Allegheny and Westmoreland, in the State of Pennsylvania;

S. J. Res. 154. Joint resolution providing for the filling of a proximate vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; and

S. J. Res. 155. Joint resolution providing for the filling of a proximate vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

CALL OF THE ROLL

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The principal legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Edge	Kendrick	Ransdell
Ball	Edwards	Keyes	Reed, Pa.
Bayard	Ernst	King	Sheppard
Bingham	Fernald	Ladd	Shipstead
Borah	Ferris	McKellar	Shortridge
Brookhart	Fess	McKinley	Simmons
Broussard	Fletcher	McLean	Smith
Bruce	Frazier	McNary	Smoot
Bursum	George	Mayfield	Spencer
Butler	Glass	Means	Stanfield
Cameron	Gooding	Metcalf	Stanley
Capper	Hale	Neely	Sterling
Caraway	Harrell	Norbeck	Swanson
Copeland	Harris	Norris	Trammell
Couzens	Harrison	Oddie	Wadsworth
Cummins	Heffin	Overman	Walsh, Mass.
Curtis	Howell	Owen	Warren
Dale	Johnson, Calif.	Pepper	Wheeler
Dial	Johnson, Minn.	Phipps	Willis
Dill	Jones, Wash.	Pittman	

The PRESIDENT pro tempore. Seventy-nine Senators have answered to the roll call. There is a quorum present.

REPORT OF THE COMMISSIONER OF PATENTS

The PRESIDENT pro tempore laid before the Senate the report of the Commissioner of Patents, submitted pursuant to law, for the calendar year 1924, which was referred to the Committee on Patents.

CHILD LABOR

The PRESIDENT pro tempore laid before the Senate the following joint resolution of the Legislature of Delaware, refusing to ratify the proposed so-called child labor amendment to the Constitution, which was referred to the Committee on the Judiciary:

STATE OF DELAWARE,

EXECUTIVE DEPARTMENT.

I, Robert P. Robinson, Governor of the State of Delaware, do hereby certify that attached hereto is a certified copy of Senate Joint Resolution No. 2, entitled: "Senate joint resolution ratifying the proposed amendment to the Constitution of the United States giving to Congress the power to limit, regulate, and prohibit the labor of persons under 18 years of age, and suspending the operation of State laws to the extent necessary to give effect to the legislation enacted by the Congress of the United States," the same having been transmitted to me by the Senate of the State of Delaware to be forwarded to the Secretary of State of the United States, Presiding Officer of the United States Senate, and the Speaker of the House of Representatives at Washington, D. C.

In testimony whereof, I have hereunto set my hand and caused the great seal of the State of Delaware to be affixed at Dover this 3d day of February, in the year of our Lord 1925, and of the independence of the United States the one hundred and forty-ninth.

[SEAL.]

ROBT. P. ROBINSON,

By the governor:

WM. G. TAYLOR, Secretary of State.

Senate joint resolution ratifying the proposed amendment to the Constitution of the United States giving to Congress the power to limit, regulate, and prohibit the labor of persons under 18 years of age, and suspending the operation of State laws to the extent necessary to give effect to the legislation enacted by the Congress of the United States

Whereas the Congress of the United States has by joint resolution proposed an amendment to the Constitution of the United States of America, which joint resolution is as follows:

Joint resolution proposing an amendment to the Constitution of the United States

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an

amendment to the Constitution of the United States, which, when ratified by the legislatures of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution:

“ARTICLE—

“SECTION 1. The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age.

“SEC. 2. The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress.”

Be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met, That the proposed amendment to the Constitution of the United States of America be, and the same is hereby, ratified by the Legislature of the State of Delaware; and be it further

Resolved, That certified copies of this preamble and joint resolution, together with the action of the legislature therein properly certified, be forwarded to the governor of this State, to be by him sent, one copy to the Secretary of State at Washington, D. C., one copy to the Presiding Officer of the United States Senate at Washington, D. C., and one other copy to the Speaker of the House of Representatives of the United States at Washington, D. C.

I hereby certify that the within is a true and correct copy of the resolution as presented to the Senate of the State of Delaware; and I further certify that the following is a true and correct account of the action of the Senate of the State of Delaware upon the within resolution.

Total members of senate.....	17
Votes needed to ratify.....	9
Members voting.....	17
Votes in favor of ratifying.....	0
Votes against ratification.....	17

I therefore certify that the within resolution failed to pass the Senate of the State of Delaware.

Certified to by me as correct this 2d day of February, A. D. 1925.

WILLIAM C. TRUITT,

President pro tempore of Senate of State of Delaware.

Attest:

H. B. JOHNSON,

Chief Clerk of the Senate of the State of Delaware.

PETITIONS AND MEMORIALS

The PRESIDENT pro tempore laid before the Senate the following concurrent resolution of the Legislature of Pennsylvania, which was ordered to lie on the table:

Concurrent Resolution 3

IN THE HOUSE OF REPRESENTATIVES,
COMMONWEALTH OF PENNSYLVANIA,
January 26, 1925.

Resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania does respectfully request the Congress of the United States to adopt legislation which will provide for retirement privileges for disabled emergency officers of the Army under the same conditions now provided by law for officers of the Regular Army in so far as regards physical disability in line of duty.

Resolved, That the secretary of the Commonwealth forward a copy of this resolution to the President pro tempore of the Senate and the Speaker of the House of Representatives of the United States, and a copy to each Member and Senator from Pennsylvania in Congress of the United States.

The foregoing resolution was adopted by the house of representatives and concurred in by the senate January 26, 1925.

THOMAS H. GARVIN,

Chief Clerk of the House of Representatives.

W. P. GALLAGHER,

Chief Clerk of the Senate.

Approved the 3d day of February, A. D. 1925.

GIFFORD PINCHOT.

I do hereby certify that the foregoing is a true and correct copy of concurrent resolution of the general assembly No. 3.

CLYDE L. KING,

Secretary of the Commonwealth.

The PRESIDENT pro tempore also laid before the Senate the following concurrent resolution of the Legislature of Minnesota, which was referred to the Committee on Finance:

STATE OF MINNESOTA,
DEPARTMENT OF STATE.

I, Mike Holm, secretary of state of the State of Minnesota, do hereby certify that I have compared the annexed copy with record of the original instrument in my office of concurrent resolution from Minnesota Legislature, and that said copy is a true and correct transcript of said instrument and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State at the capitol, in St. Paul, this 2d day of February, A. D. 1925.

[SEAL.]

MIKE HOLM,
Secretary of State.

A concurrent resolution memorializing the President and the Congress of the United States relative to an increase of duties upon dairy and other agricultural products

Whereas large quantities of dairy and other agricultural products have been and are being imported into the United States from foreign countries; and

Whereas agriculture is the basic industry and the success of all other lines of industry and business is dependent upon its prosperity; and

Whereas the financial recovery and the future prosperity of agriculture have been and will be delayed and seriously imperiled by continued large importations of agricultural products produced by labor employed under conditions and for wages lower than the American standard and imported under a rate of exchange which more than offsets the protection of the present duties: Therefore be it

Resolved by the Senate of the State of Minnesota, the House of Representatives concurring, That the President and the Congress be, and they hereby are, most earnestly requested to increase the present duties on butter, cheese, condensed milk, casein, cream, milk powder, skim-milk products, and other agriculture products which are now not adequately protected, and that such action be taken before adjournment of the Congress now sitting; and be it further

Resolved, That a duly authenticated copy of this resolution be transmitted to the President, to the President of the Senate, and to the Speaker of the House of Representatives in the Congress, to the Secretary of Agriculture, to each member of the President's Agricultural Commission, to each member of the Committee on Finance in the Senate, to each member of the Committee on Ways and Means in the House of Representatives, to each member of the Committee on Agriculture in the Senate, to each member of the Committee on Agriculture in the House of Representatives, and to each Senator and Representative from the State of Minnesota in the Congress.

W. I. NOLAN,
President of the Senate.
JOHN A. JOHNSON,

Speaker of the House of Representatives.

Passed the senate the 23d day of January, 1925.

GEO. W. PEACHEY,
Secretary of the Senate.

Passed the house of representatives the 26th day of January, 1925.

OSCAR ARNESON,

Chief Clerk of the House of Representatives.

Approved January 29, 1925.

THEODORE CHRISTIANSON,
Governor of the State of Minnesota.

Filed January 29, 1925.

MIKE HOLM, *Secretary of State.*

Mr. LADD presented the following resolution adopted by the board of directors of the North Dakota Wheat Growers' Association, which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the Record, as follows:

Resolved by the board of directors of the North Dakota Wheat Growers' Association, representing almost 18,000 farmers of North Dakota growing approximately 25,000,000 bushels of wheat—

1. That the present high market price of wheat is due to a fortunate combination of circumstances, among which was the world shortage of bread grains and the strong position of the wheat pools both in this country and in Canada. The wheat pools, with their program of orderly marketing, have enabled the growers of wheat to take advantage of the present high price of wheat, and by virtue of the increased bargaining power which the pool method of sales promote the price level of wheat has been considerably raised.

2. However, we hold that the present world shortage of bread grains may not, and perhaps will not, be permanent, and therefore it is beyond reasonable expectations that the present high level of wheat prices can be permanently maintained so as to net the growers a profitable price, especially in view of the fact that wheat producers are not yet sufficiently organized to control and stabilize the wheat market to the greatest degree possible; and, further, for the reason that the unregulated surplus production of wheat in this country places the growers of this country on a world price basis in competition with a lower standard of living and a lower production cost in other countries, despite the 42-cent per bushel wheat duty.

3. We commend President Coolidge and the agricultural commission appointed by him for public-spirited and far-visioned recommendations to Congress to enact laws to promote and foster cooperative marketing

and to otherwise enact legislation that will aid in placing agriculture on an equal basis with other industries.

4. We particularly urge the passage of the amended form of the McNary-Haugen bill providing for an export corporation, which will make the wheat duty effective.

5. We approve the Smith-Hoch resolution looking to a readjustment of freight rates, believing the present freight rates on agricultural commodities are out of proportion to their value.

6. We urge the early completion of the St. Lawrence deep-waterway project, which would give the farmers of the Northwest greatly reduced transportation rates on grain and other farm products for export to foreign markets.

7. We believe that the passage of the bill introduced in the House of Representatives by Congressman BRAND of Ohio and in the United States Senate by Senator CAPPER, of Kansas, providing for the establishment of standard weights for loaves of bread, will not only protect consumers of bread from unfair weights but will also promote greater bread consumption in this country, and therefore reduce the exportable surplus of wheat to a considerable degree. We believe it to be to the interest of wheat producers and wheat consumers that this bill be enacted into law.

8. The secretary is hereby instructed to give copies of these resolutions to the press, to President Coolidge, to members of the Agricultural Commission, to the Secretary of Agriculture, to the Secretary of Commerce, to the chairman of the Committee on Agriculture of the United States Senate, to the Committee on Agriculture in the House of Representatives, and to the Senators and Congressmen from North Dakota.

Approved unanimously by the board of directors of the North Dakota Wheat Growers' Association, in session assembled, this 31st day of January, 1925.

A. J. SCOTT,

Secretary North Dakota Wheat Growers' Association.

Mr. WADSWORTH presented the following concurrent resolution of the Legislature of the State of New York, which was referred to the Committee on Commerce:

IN SENATE OF STATE OF NEW YORK,
Albany, February 2, 1925.

[By Mr. Gibbs]

Whereas there is pending before Congress a bill known as Senate bill No. 4428 (McCormick bill) which among other things authorized the withdrawal of 10,000 cubic feet per second of water from Lake Michigan by the Sanitary District of Chicago; and there is also pending in the Senate an amendment proposed by Mr. McKellar to H. R. bill No. 3933, which bill provides for the purchase of the Cape Cod Canal property, and which amendment authorizes among other things for some years the withdrawal of 10,000 cubic feet per second of water from Lake Michigan by the Sanitary District of Chicago and thereafter a withdrawal of 7,500 cubic feet per second;

Whereas the withdrawal of 1,000 cubic feet per second of water from Lake Michigan is adequate for the needs of navigation in constructing a waterway from Lake Michigan to ultimately connect with the Mississippi River; and the withdrawal of 10,000 cubic feet per second of water from Lake Michigan at Chicago is damaging navigation interests on the Great Lakes to the extent of approximately \$3,000,000 annually in addition to the damage done to other interests:

Resolved (if the assembly concurs), That the Legislature of the State of New York respectfully memorialize the Congress of the United States not to advance to passage the aforesaid bills nor any other measure which would authorize the withdrawal of any quantity of water from Lake Michigan through the Chicago Sanitary Canal in excess of 1,000 cubic feet per second; be it further

Resolved, That a copy of these resolutions be transmitted to the Secretary of War, the Clerk of the Senate, and to the Clerk of the House of Representatives, and to each Senator and Representative in Congress representing the State of New York, and that the latter be urged to do all in their power by voice and vote to prevent the passage of this proposed legislation, which by this memorial is brought to the attention of Congress.

By order of the senate,

ERNEST A. FAX, *Clerk.*
In ASSEMBLY, February 3, 1925.

Concurred in without amendment.

By order of the assembly.

FRED W. HAMMOND, *Clerk.*

Mr. BAYARD. I present a resolution adopted at a meeting of the Washington Heights Century Club, of Wilmington, Del., advocating the entry of this country into the World Court under the terms of the Harding-Hughes plan, and I ask that it be referred to the Committee on Foreign Relations.

The PRESIDENT pro tempore. The resolution will be referred to the Committee on Foreign Relations.

Mr. CURTIS presented resolutions adopted by the Emporia (Kans.) Chamber of Commerce, favoring the making of an appropriation for the improvement of the Missouri River, which were referred to the Committee on Commerce.

Mr. FERRIS presented memorials of sundry citizens of Benton Harbor, St. Joseph, Oxford, Battle Creek, and Charlotte, all in the State of Michigan, remonstrating against the passage of the so-called Sunday observance bill for the District, which were referred to the Committee on the District of Columbia.

Mr. BINGHAM presented the petition of 123 members of the Woman's Christian Temperance Union of Waterbury, Conn., praying for the passage of the so-called Cramton bill, being the bill (H. R. 6645) to amend the national prohibition act, to provide for a bureau of prohibition in the Treasury Department, to define its powers and duties, and to place its personnel under the civil service act, which was referred to the Committee on the Judiciary.

He also presented a resolution adopted by members of the Round Table Club, of Bridgeport, Conn., favoring the participation of the United States in the Permanent Court of International Justice under the terms of the so-called Harding-Hughes plan, which was referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the Howard University Club, of Hartford, Conn., favoring the passage of legislation providing for the federalization of the Howard University at Washington, D. C., and suggesting certain amendments in proposed legislation relative thereto, which were referred to the Committee on the District of Columbia.

Mr. KING. Mr. President, I present a telegram and ask that it be printed in the RECORD and referred to the Committee on Foreign Relations. It relates to the expulsion of the Greek patriarch from Constantinople.

There being no objection, the telegram was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

NEW YORK, N. Y., February 3, 1925.

Senator WILLIAM H. KING,

United States Senate, Washington, D. C.:

The brutal expulsion of the most reverend Ecumenical Patriarch of Constantinople by the Turkish authorities, constituting a hard blow against the Holy Orthodox Church of which we are devout communicants, prompts us to appeal most earnestly to the Government of our glorious adopted country and respectfully ask that our protest be transmitted to the Turkish Government. We remember that it was at the instance of the American Government that the patriarch, by the treaty of Lausanne, obtained the right to remain at Constantinople as it has done for the last 17 centuries. We protest against the violation of the Lausanne treaty by Turkey and we express the hope that the American Government will take due notice of this brutal Turkish act which strikes at the very heart of the mother of all churches, and makes a scrap of paper out of a solemn treaty.

Respectfully,

THE CENTRAL COMMITTEE OF THE
GREEK LOYALIST LEAGUE OF AMERICA,
DAZEAS STRATAKOS PATRINAKOS,
146 Columbus Avenue, New York.

REPORTS OF COMMITTEES

Mr. DILL, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 10770) granting certain lands to the State of Washington for public park and recreational grounds, and for other purposes, reported it with an amendment and submitted a report (No. 1022) thereon.

Mr. SMOOT, from the Committee on Finance, to which was referred the bill (S. 2663) to standardize the procedure with reference to surety bonds running in favor of the United States, and for other purposes, reported it with amendments and submitted a report (No. 1023) thereon.

Mr. HARRELD, from the Committee on Indian Affairs, to which was referred the bill (H. R. 27) to compensate the Chippewa Indians of Minnesota for timber and interest in connection with the settlement for the Minnesota National Forest, reported it without amendment and submitted a report (No. 1024) thereon.

Mr. BAYARD, from the Committee on Claims, to which was referred the bill (S. 3264) for the relief of Horace G. Knowles, reported it without amendment and submitted a report (No. 1025) thereon.

He also, from the same committee, to which were referred the following bills, submitted adverse reports thereon:

A bill (S. 2421) for the relief of John J. Beattie (Rept. No. 1026); and

A bill (S. 3311) for the relief of Alden H. Baker (Rept. No. 1027).

Mr. BINGHAM, from the Committee on Military Affairs, to which was referred the bill (S. 2865) to define the status of retired officers of the Regular Army who have been detailed as professors and assistant professors of military science and tactics at educational institutions, reported it with amendments and submitted a report (No. 1028) thereon.

Mr. JONES of New Mexico, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 9494) to enable the Board of Supervisors of Los Angeles County to maintain public camp grounds within the Angeles National Forest, reported it without amendment.

Mr. STANFIELD, from the Committee on Public Lands and Surveys, to which was referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 6651) to add certain lands to the Umatilla, Wallowa, and Whitman National Forests in Oregon (Rept. No. 1029);

A bill (H. R. 8366) to add certain lands to the Santiam National Forest (Rept. No. 1030); and

A bill (H. R. 9028) to authorize the addition of certain lands to the Whitman National Forest (Rept. No. 1031).

Mr. JOHNSON of Minnesota, from the Committee on Claims, to which was referred the bill (S. 2896) for the relief of Joseph B. Tanner, reported it with an amendment and submitted a report (No. 1032) thereon.

Mr. PEPPER, from the Committee on Banking and Currency, to which was referred the bill (H. R. 8887) to amend an act entitled "An act to provide for the consolidation of national banking associations," approved November 7, 1918; to amend section 5136 as amended, section 5137, section 5138 as amended, section 5142, section 5150, section 5155, section 5190, section 5200 as amended, section 5202 as amended, section 5208 as amended, section 5211 as amended, of the Revised Statutes of the United States; and to amend section 9, section 13, section 22, and section 24 of the Federal reserve act, and for other purposes, reported it with amendments.

INVESTIGATION OF INTERNAL REVENUE BUREAU

Mr. COUZENS, from the Select Committee on Investigation of the Bureau of Internal Revenue, pursuant to Senate Resolution 168, Sixty-eighth Congress, reported the testimony taken on certain dates included in the committee hearings known as parts 6, 7, and 8, which was ordered to lie on the table.

COTTON MERCHANDISING PRACTICES (S. DOC. NO. 194)

Mr. SMITH. I am directed by the Committee on Agriculture and Forestry to report a resolution which I ask may be read and agreed to.

The resolution (S. Res. 327) was read, as follows:

Resolved, That the report of the Federal Trade Commission on cotton merchandising practices, transmitted to the Senate on January 20, 1925, in response to Senate Resolution No. 252, be printed as a Senate document.

Mr. SMOOT. There never has been printed as a public document a report from any of the commissions of the Government. We make direct appropriations for the printing of their reports. I do not know what the report is.

Mr. NORRIS. It is a report that was referred to the Committee on Agriculture and Forestry.

Mr. SMOOT. It is then made in conformity with a request of the Senate?

Mr. SMITH. The Committee on Agriculture and Forestry instructed me to report the resolution.

Mr. SMOOT. I have no objection if it is in answer to a request made by the Senate. Then there is no rule against it; but if the Federal Trade Commission made the report themselves, there is a rule against it.

Mr. NORRIS. In reality it is a report made by the Committee on Agriculture and Forestry.

The resolution was considered, by unanimous consent, and agreed to.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GLASS:

A bill (S. 4240) for the relief of Laura C. Hughes; to the Committee on Claims.

By Mr. EDGE:

A bill (S. 4241) granting an increase of pension to Sarah A. Murray; to the Committee on Pensions.

By Mr. FERNALD:

A bill (S. 4242) granting a pension to Emily E. Patterson (with accompanying papers); to the Committee on Pensions.

By Mr. HARRELD:

A bill (S. 4243) for the relief of the Milwaukee Journal, of Milwaukee, Wis.; to the Committee on Indian Affairs.

By Mr. COPELAND:

A bill (S. 4244) for the relief of C. E. Waite; to the Committee on Claims.

By Mr. BURSUM:

A bill (S. 4245) granting a pension to Martha J. Schaffer; to the Committee on Pensions.

By Mr. SHIPSTEAD:

A bill (S. 4246) granting a pension to Emery W. Hackett; to the Committee on Pensions.

By Mr. STANFIELD:

A bill (S. 4247) for the relief of George Walthers; to the Committee on Claims.

By Mr. WADSWORTH:

A bill (S. 4248) to amend section 14 of the act approved June 10, 1922, known as the pay readjustment act for the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service; to the Committee on Military Affairs.

By Mr. JOHNSON of Minnesota:

A bill (S. 4249) granting an increase of pension to Mercy J. Harris (with accompanying papers); to the Committee on Pensions.

CHANGES OF REFERENCE

On motion by Mr. PEPPER, and by unanimous consent, the Committee on the Library was discharged from the further consideration of the bill (S. 4230) to authorize the Secretary of the Treasury to prepare a medal with appropriate emblems and inscriptions commemorative of the Norse-American Centennial, and the bill was referred to the Committee on Banking and Currency.

On motion by Mr. BURSUM, and by unanimous consent, the Committee on Military Affairs was discharged from the further consideration of the bill (S. 3201) for the relief of Lieut. Col. Charles Burnett, Cavalry; Maj. Philip R. Faymonville, Ordnance Department; First Lieut. Warren J. Clear, Infantry; and Second Lieut. Thomas G. Cranford, jr., Coast Artillery Corps; and the bill was referred to the Committee on Claims.

On motion by Mr. ODDIE, and by unanimous consent, the Committee on the Judiciary was discharged from the further consideration of the bill (S. 3501) to confer jurisdiction upon the Court of Claims to render judgment in the matter of the claim of Addison B. McKinley, of Reno, Nev., and the bill was referred to the Committee on Claims.

BUILDING ACCOMMODATIONS FOR IMMIGRATION STATIONS

Mr. SHEPPARD submitted an amendment intended to be proposed by him to the bill (H. R. 11791) to provide for the construction of certain public buildings, and for other purposes, which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

OPERATION OF MOTOR BUSES IN THE DISTRICT

Mr. COPELAND submitted the following resolution (S. Res. 328), which was referred to the Committee on the District of Columbia:

Resolved, That the Public Utilities Commission of the District of Columbia, be, and they are hereby, directed to inform the Senate under what authority of law they have granted or may propose to grant to any street railway corporation in the District of Columbia the right to operate motor buses in connection with its street railway service.

PRESIDENTIAL APPROVALS

A message from the President of the United States by Mr. Latta, one of his secretaries, announced that the President had approved and signed acts of the following titles:

On February 3, 1925:

S. 1427. An act for the relief of Rosa L. Yarbrough;

S. 1568. An act for the relief of certain officers in the United States Army;

S. 1605. An act for the relief of Emma Kiener;

S. 1894. An act for the relief of the owners of the steamship *Kin-Dave*; and

S. 2669. An act for the relief of J. R. King.

On February 4, 1925:

S. 2842. An act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes.

THE ITALIAN DEBT

Mr. BORAH. I ask permission to have printed in the RECORD a letter from the Secretary of the Treasury as to the present status of the Italian debt.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

TREASURY DEPARTMENT,
Washington, February 5, 1925.

MY DEAR SENATOR: I have your letter of February 2, 1925, requesting to be informed as to the amount of the indebtedness of the Government of Italy to the United States, and as to whether Italy has made any proposition or proposed any plan looking toward an adjustment of its indebtedness.

As regards the amount of the indebtedness, I take pleasure in giving you the following information

PRINCIPAL	
Obligations acquired for cash advances prior to Nov. 11, 1918.....	\$1,081,000,000.00
Obligations acquired for cash advances after Nov. 11, 1918.....	\$617,034,050.90
Less amounts repaid.....	164,852.94
	616,869,197.96
Principal amount of obligations now held.....	1,647,869,197.96
INTEREST	
Total interest on obligations evidencing above advances.....	\$507,076,777.48
Payments made on account (all of which was paid on or prior to May 15, 1919, and largely from Treasury advances).....	57,598,852.62
Accrued and unpaid interest as of Nov. 15, 1924.....	449,477,924.86
Total indebtedness.....	2,097,347,122.82

In reply to your further inquiry, I would say that no proposals have been made looking toward an adjustment of this indebtedness.

Sincerely yours,

A. W. MELLON,
Secretary of the Treasury.

Hon. WILLIAM E. BORAH,
United States Senate, Washington, D. C.

WAR-RISK INSURANCE PAYMENTS

Mr. REED of Pennsylvania. Mr. President, I ask unanimous consent that the bill (S. 1387) to provide for payment of the amount of a war-risk insurance policy to a beneficiary designated by Capt. John W. Loveland, Jr., deceased, and the bill (H. R. 1671) for the relief of Adaline White be referred to the Committee on Finance. These are bills dealing with war-risk insurance claims, special bills for the payment of the insurance to beneficiaries under two policies. We have 50 or 60 similar bills in the Finance Committee which we are trying to act on in one measure. It is not fair to take up particular cases in this way, but it is much better for everybody concerned that we act on them altogether and in a uniform way.

Mr. SPENCER. Mr. President, I would like to ask the Senator from Pennsylvania, in connection with Senate bill 1387, introduced by the Senator from New Jersey [Mr. EDGE] and reported by me from the Committee on Claims, as to whether the facts involved in that bill are such as may come within any general legislation that the Senator may have in mind?

Mr. REED of Pennsylvania. I do not think we can pass any general legislation, but we hope to report out an omnibus bill that will cover all war-risk insurance cases. There are other cases of the same class as that about which the Senator is inquiring.

Mr. EDGE. As sponsor for the bill referred to by the Senator from Missouri, I am entirely satisfied with this disposition of it in view of the explanation of the Senator from Pennsylvania.

The PRESIDENT pro tempore. Is there objection to referring the two bills to the Committee on Finance? The Chair hears none, and it is so ordered.

HOUSE BILL REFERRED

The bill (H. R. 11505) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1926, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

TOBACCO GROWERS' COOPERATIVE MARKETING ASSOCIATIONS

Mr. ERNST obtained the floor.

Mr. STERLING. Mr. President, will the Senator from Kentucky yield to me for a moment?

Mr. ERNST. Certainly.

Mr. STERLING. A word in regard to the unfinished business. I want it understood that it is before the Senate, of course.

The PRESIDENT pro tempore. The Senator from South Dakota, being in charge of the unfinished business, has a right to arrest the proceedings at any moment he pleases by an objection.

Mr. STERLING. Then, I will yield to the Senator from Kentucky. I ask that the unfinished business may be laid before the Senate and that the amendment be stated. Then I shall yield.

The PRESIDENT pro tempore. For aught the Chair knows, the Senator from Kentucky rises to address himself to the unfinished business. It is not necessary to lay the unfinished business before the Senate; it is before the Senate.

Mr. ERNST. Mr. President, the Tobacco Growers' Cooperative Association has a membership of over 97,000 growers of bright and dark tobacco in the States of Virginia, North Carolina, and South Carolina. The Dark Tobacco Growers' Cooperative Association has a membership of more than 70,000 growers of the various types of dark tobacco in the States of Kentucky, Tennessee, and Indiana. The Burley Tobacco Growers' Cooperative Association has more than 103,000 members growing Burley tobacco in Kentucky, Ohio, Indiana, Tennessee, West Virginia, and Missouri. All of these associations are nonprofit associations; they have no capital stock. They are organized for the purpose of intelligently merchandising their tobacco instead of dumping it upon the open market, without regard to proper grading and without any ability to follow the usual good practice of making supply conform to demand.

These associations, Mr. President, were formed as the result of the widespread dissatisfaction with economic conditions resulting from poor methods of marketing the raw tobacco extending over a term of many years. The object of these associations has been set out very clearly, as follows:

First, to raise the standards of living in the homes of the tobacco farmers throughout the United States and to give them an opportunity for clean, comfortable living and for acquiring modern enlightenment.

Second, to stabilize the raw-tobacco industry by introducing better systems of grading, by pooling tobacco according to grades, and by offering such tobacco at uniform prices for such grades throughout the tobacco territory.

Third, to merchandise raw tobacco intelligently into all normal and proper channels of trade, just as the manufacturers merchandise the finished goods into the consuming channels of trade.

Lastly, to enable the industry to adjust itself to modern financial and commercial progress.

These organizations have been encouraged in every way by the United States Government. There have been loans to them in part by the Government for the purpose of carrying on their business millions upon millions of dollars.

I desire to read from a letter of President Coolidge, under date of April 8, 1924, addressed to Judge Bingham, who has taken a leading part in the work of the cooperative associations. The President says:

It has given me much satisfaction to learn that your association is sending to Europe a commission to represent its varied and highly important interests. I am assured that these cooperative tobacco marketing associations represent at least 250,000 tobacco growers, and that your commission is going abroad in behalf of the export business in American tobacco, with the purpose of establishing the most intimate and mutually helpful relations with the tobacco industries of Europe.

Having been for a long time profoundly impressed with the desirability of developing the cooperative marketing movement to its utmost possibilities in this country, I am especially pleased to know of the mission upon which you are going together with Hon. John W. Davis and Mr. Oliver J. Sands. Your mission suggests the possibility of that larger cooperation on an international basis which is the aspiration of all who hope for a better organized, more productive, and more efficient civilization in this world. Happily, nearly all of us have passed the time when we indulge suspicion that the profit of one country through international trade must somehow represent the loss of some other country. We recognize that the prosperity and advancement of every community are to be shared by the other communities with which it maintains relations. For this reason your embassy must be regarded as not only a quest for business and profits but also as an unselfish effort to coordinate in a mutually advantageous way the interests of our own country with other communities.

Feeling as I do profoundly assured that this is the true measure of such movements, I wish to extend assurances of my hope for the most satisfactory results, together with my belief that yours is one

of the enterprises calculated to bring the world into a closer and better understanding neighborhood, which will be the most effective guaranty of peace and of the widest expansion of civilization.

CALVIN COOLIDGE.

I wish to quote also a sentence from a letter of Secretary Hoover to a representative of the growers' association, written on April 7, 1924, as follows:

I have been following with much interest the cooperative movement during the past few years in the marketing of the various agricultural products, and it has been a satisfaction to note the able manner in which many of these cooperative associations have achieved successful results in spite of much opposition on the part of certain factors in the industry who did not fully comprehend at first the real purpose of the movement or were not able to see the economies to be effected by the efficient operation of such a marketing agency in lessening the cost of distribution.

These associations, upon which so many thousands of our citizens depend for their living, have been bitterly complaining of the action of the American Tobacco Co. and the Imperial Tobacco Co. of London, saying that those companies, by boycotting and other methods, which they set out in detail, are endeavoring to destroy the cooperative tobacco growers' associations, and that they have not neglected any opportunities to deprive those associations of that support to which they are entitled.

Because of the foregoing, Mr. President, I offer a resolution and ask for immediate action upon it. I will read the resolution, S. Res. 329, as follows:

Whereas it has been stated openly that an agreement exists between the American Tobacco Co. and the Imperial Tobacco Co. of Great Britain whereby the American Tobacco Co. will sell no tobacco in Great Britain and the Imperial Tobacco Co. will sell no tobacco in the United States; and

Whereas such an agreement gives the Imperial Tobacco Co. a practical monopoly on certain types of tobacco grown in Virginia, North Carolina, and South Carolina, and special interest in certain types of tobacco grown in Kentucky and purchased in the United States by the local resident agents of the Imperial Tobacco Co. and processed in the United States in its plants, and the same agreement gives the American Tobacco Co. a special interest in other types grown in those States; and

Whereas the growers of leaf tobacco have formed great cooperative organizations, known as the Tobacco Growers' Cooperative Association, the Dark Tobacco Growers' Cooperative Association, the Burley Tobacco Growers' Cooperative Association, comprising an aggregate of more than 270,000 grower members, for the cooperative marketing of the tobacco of their members; and

Whereas such cooperative associations have been organized along lines encouraged by this Government and have been financed in part by the War Finance Corporation and the intermediate credit banks; and

Whereas the American Tobacco Co. and the Imperial Tobacco Co. are opposed to the formation of cooperative marketing associations among tobacco growers and desire to destroy them, and have attempted to discourage members by purchasing leaf tobacco from nonmember growers at higher prices than tenders theretofore made by such cooperative associations, and have induced and encouraged breaches of contracts between members and the cooperative associations contrary to the terms of the members' agreements with the associations; and

Whereas the said companies have practically boycotted the said cooperative associations and, by reason of their special interests in certain types, have caused great damage and harm to the cooperative associations; and

Whereas the aforesaid agreement stops competition between the said companies in the purchase from the growers of the types of tobacco used by the American Tobacco Co. and the Imperial Tobacco Co. and enables one company or the other to control the purchase and marketing of these types; and

Whereas acts on the part of these two companies cause leaf tobacco to be diverted from the cooperative associations to these companies, directly or indirectly, in spite of the contracts between the growers and the cooperative associations; and

Whereas such conduct on the part of such companies appears to be unfair practice in pursuance of an illegal agreement to restrict and restrain competition and trade in leaf tobacco in interstate commerce: Now therefore be it

Resolved, That the Federal Trade Commission be, and it is hereby, directed to investigate and report to the President of the United States on or before July 1, 1925, the present degree of concentration and interrelation in the ownership, control, direction, financing, and management through legal or equitable ownership of stocks, bonds, or other securities or instrumentalities, or through interlocking directorates or holding companies, or through agreements or through any other device or means whatsoever by the American Tobacco Co.

and the Imperial Tobacco Co.; and also particularly to investigate the methods employed by these companies in their fight against cooperative marketing associations and any boycott thereof; and also particularly to investigate any agreements or arrangements made by said companies to embarrass or injure any such cooperative associations or to cause discouragement or breaches of contracts between growers, members, and the said cooperative associations; and

Resolved, further, That the President of the United States be, and he is hereby, requested to direct the Secretary of the Treasury to permit the said Federal Trade Commission in making such investigation to have access to all official reports and records in any or all of the bureaus of said Treasury Department.

Mr. President, I ask that the papers and document to which I am about to refer may be inserted as part of my remarks without being read.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ERNST. First, a decision of the House of Lords in the case of the Imperial Tobacco Co. v. Albert Bonnan and Bonnan & Co. found in the 1924 appeal cases. The decision is as follows:

In September, 1902, this last-named company made an agreement with the company called the American Tobacco Co., by which it was agreed that the American Tobacco Co. should confine its trade to the United States and certain islands and that the Imperial Tobacco Co. (of Great Britain and Ireland) (Ltd.) should confine its trade to Great Britain and Ireland, and that these two companies should form a third, to be called the British-American Tobacco Co. (Ltd.), which should confine its trade to the rest of the world not included in the territories of the two first companies. And, accordingly, the British-American Tobacco Co. (Ltd.) was incorporated, and to it the other two companies assigned their business, good will, and trademarks outside their respective territories; and mutual covenants were entered into by the three companies confining their trades to their respective territories.

These cooperative associations believe that to-day there is some sort of implied agreement or understanding between these companies whereby this territory is still divided up as originally agreed upon, for the reason that the American Tobacco Co. sells but little of its output in England, and the Imperial Tobacco Co. sells nothing of its product here.

I also desire to file a brief which a commission of these growers, representing the associations I have named, presented to the Imperial Tobacco Co. in England in an endeavor to arrive at a fair understanding with that company and to assume business relations with it, the brief presenting the growers' side of the case.

The brief referred to is as follows:

LONDON, ENGLAND, May 14, 1924.

To the IMPERIAL TOBACCO CO. (LTD.),

Bristol, England:

This brief is presented by a commission composed of representatives of the leading tobacco growers' associations of the United States, namely:

Tobacco Growers' Cooperative Association, comprising over 97,000 growers of bright and dark tobacco in Virginia, North Carolina, and South Carolina, represented by Oliver J. Sands, executive manager and chairman of this commission:

G. A. Norwood, president; Tucker Watkins, Jr., and Bright Williamson, members executive committee; A. R. Breedlove, assistant general manager.

Dark Tobacco Growers' Cooperative Association, including approximately 70,000 growers of the various types of dark tobacco in Kentucky, Tennessee, and Indiana, represented by R. E. Cooper, general manager, vice chairman of this commission; Mr. Englehard, sales manager.

Burley Tobacco Growers' Cooperative Association, including 103,000 members growing burley tobacco in Kentucky, Ohio, Indiana, Tennessee, West Virginia, and Missouri, represented by James C. Stone, president and general manager. In addition the commission included Aaron Sapiro, general counsel for all these associations.

Mr. Hughes, of the Department of Commerce, is attending the commission at the request of the Secretary of Commerce.

Each of these associations is a nonprofit association, organized without capital stock for the purpose of enabling its members to merchandise their tobacco intelligently instead of dumping it upon the open markets without regard to proper grading and without any ability to follow the usual good practice of making supply conform to demand.

Each association is the result of widespread dissatisfaction with economic conditions resulting from poor methods of marketing raw tobacco over a term of many years.

It is interesting to note that the lowest net return of any group of families in the entire United States, agricultural or industrial, has

been the fate of these tobacco growers in the last 16 years. The average annual family income covering the territory as a whole has been less than \$360 for a family; and in the districts in North Carolina, probably the most prosperous of all, the average gross income per family has ranged between \$200 and \$650 per year. This leaves a net income of less than \$400 per year as the maximum.

Most of these families depend primarily on tobacco for income. They may have a few hens and hogs, and perhaps a cow or two; and they may grow a bit of corn or other grains. But the net income figured above includes the estimated value of such commodities in addition to the tobacco productions.

Separately you will find a pamphlet issued by the University of North Carolina and a study of conditions in Virginia and similar territories which present certain intensive studies of such farm conditions. That explains why the standards of living have grown lower in these tobacco States than in any other section of the country. It explains why a State like Kentucky ranks forty-seventh in education in the United States, not because the people do not want education but simply because they can not pay the taxes for schools or teachers. These low incomes over a term of years lead to pathetic social conditions. Illiteracy has increased enormously in these areas, although these sections include the best Anglo-Saxon blood that came to America and represent the descendants of the British people more than any other sections of the United States.

These economic conditions led to great desperation and attracted the attention of the leading thinkers in the United States.

It was the consensus of opinion that social conditions in these areas could be changed only by introducing better methods in agriculture, and that the system of individual marketing was the weakest point in their status.

Therefore these cooperative marketing associations were organized, each in its own sphere, covering special types of tobacco with the express aims—

(a) To raise the standards of living in the homes of the tobacco farmers and to give them an opportunity for clean, comfortable living and for acquiring modern enlightenment;

(b) To stabilize the raw-tobacco industry by introducing better systems of grading and by pooling tobacco according to grades and by offering such tobacco at uniform prices for such grades throughout the tobacco territory;

(c) To merchandise raw tobacco intelligently into all normal and proper channels of trade, just as the manufacturers merchandise finished goods into the consuming channels of trade; and

(d) To enable the industry to adjust itself to modern financial and commercial progress.

This type of organization and these very associations have been fostered and encouraged by the United States Government. Here follows a letter from the President of the United States, addressed to Hon. Robert W. Bingham, who had originally expected to come as the chairman of this commission. This letter shows the current attitude of the President of the United States:

THE WHITE HOUSE,
Washington, April 8, 1924.

MY DEAR JUDGE BINGHAM: It has given me much satisfaction to learn that your association is sending to Europe a commission to represent its varied and highly important interests. I am assured that these cooperative tobacco marketing associations represent at least 250,000 tobacco growers and that your commission is going abroad in behalf of the export business in American tobacco with the purpose of establishing the most intimate and mutually helpful relations with the tobacco industries of Europe.

Having been for a long time profoundly impressed with the desirability of developing the cooperative marketing movement to its utmost possibilities in this country, I am especially pleased to know of the mission upon which you are going, together with Hon. John W. Davis and Mr. Oliver J. Sands. Your mission suggests the possibility of that larger cooperation, on an international basis, which is the aspiration of all who hope for a better organized, more productive, and more efficient civilization in this world. Happily, nearly all of us have passed the time when we indulge suspicion that the profit of one country through international trade must somehow represent the loss of some other country. We recognize that the prosperity and advancement of every community are to be shared by the other communities with which it maintains relations. For this reason your embassy must be regarded as not only a quest for business and profits, but also as an unselfish effort to coordinate in a mutually advantageous way the interests of our own country with other communities.

Feeling, as I do, profoundly assured that this is the true measure of such movements, I wish to extend assurances of my hope for the most satisfactory results, together with my belief that yours is one of the enterprises calculated to bring the world into a closer and better understanding neighborhood, which will be the most effective guarantee of peace and of the widest expansion of civilization.

Most sincerely yours,

CALVIN COOLIDGE.

The attitude of the Secretary of Commerce, Mr. Herbert Hoover, is best explained in the following letter addressed to Mr. Oliver J. Sands:

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, April 7, 1924.

DEAR MR. SANDS: The Hon. JAMES F. BYRNES, Congressman from South Carolina, has transmitted to me your letter of March 25 relative to some of the problems with which your tobacco associations are confronted, together with his comments on the subject.

I have been following with much interest the cooperative movement during the past few years in the marketing of the various agricultural products and it has been a satisfaction to note the able manner in which many of these cooperative associations have achieved successful results in spite of much opposition on the part of certain factors in the industry who did not fully comprehend at first the real purpose of the movement, or were not able to see the economies to be effected by the efficient operation of such a marketing agency, in lessening the cost of distribution.

It is not apparent to me that the motive of any cooperative association, which is possessed with a management of broad perspective, is to destroy any existing agency that is rendering a service to the industry, but on the other hand, a cooperative marketing association when efficiently and conservatively managed, is in position to effect economies in the cost of distribution, between the producer and the manufacturer, or foreign importer, in the case of raw products, that will revert alike to both the buyer and the seller. I am constrained to believe that when foreign importers and manufacturers fully comprehend the purpose of cooperative marketing of tobacco the system will not meet with either passive or active resistance; provided, however, that cooperative marketing be effected through a cooperative association whose management adopts sound and liberal business policies.

This department, through its staff in Washington and its representatives in the United Kingdom and Europe, will gladly render any service consistent in connection with your program for the proposed trip to Europe.

Yours faithfully,

HERBERT HOOVER,
Secretary of Commerce.

Secretary Hoover likewise sent with the commission Mr. Hughes, as representative of his department, to advise and assist in all activities.

The Secretary of Agriculture has been openly in favor of these tobacco organizations. The Congress of the United States passed specific legislation authorizing and approving cooperative marketing associations of this type.

The attitude of members of the United States Senate is best indicated by a letter from Senator Smith, chairman of the Committee on Interstate Commerce.

UNITED STATES SENATE,
Washington, D. C., April 12, 1924.

MR. OLIVER J. SANDS,
Executive Manager
Tobacco Growers' Cooperative Association,
Richmond, Va.

DEAR MR. SANDS: As you are planning a trip to Europe in the interest of cooperative marketing system of America, I take this opportunity of asking you to present to the representative of the different countries certain facts that have developed since we have attempted to bring about this organization.

Every government must recognize that the basis of all permanent world prosperity is agriculture. The United States recognizing this fact has officially and legislatively given every aid to cooperative marketing that can be given constitutionally. We have exempted these agricultural organizations from the operation of our antitrust laws, we have granted them special financial aid, and the Government is still considering means of further fostering these organizations.

It is alleged and believed that a certain English corporation, doing business in this country, has evidenced their hostility toward these organizations. This course is not calculated to promote that friendly relationship which should exist between Great Britain and America. It would not be considered a proper attitude for an American company, to whom was extended the privilege of doing business under the protection of the English flag, to assume an attitude antagonistic to a trade policy recognized and fostered by the English Government. Therefore, I earnestly hope that you will be able to have this condition remedied so that there may not be any ground for an unfriendly feeling to exist in this respect between any of our people to a great business concern organized under the laws of Great Britain and doing business in America. We take it that those who seek our markets, our own people as well as those from abroad, seek these markets for the sole purpose of trading in the commodities on these markets and not for the purpose of attempting to influence or dictate

the policies governing our markets. The article is the thing of interest and not the individual or corporation that offers it for sale. The commodities offered by the cooperative organizations are the same as offered by other individuals and corporations, and a refusal to buy a commodity simply because it is offered for sale by a given organization necessarily carries with it the declaration that it is the organization and not the commodity that is discriminated against; and as this organization has been recognized and fostered by our Government, we have reason to protest against any discrimination against it.

In behalf of the organization, and believing in the same of fair play that characterizes both nations, I earnestly solicit the careful attention of the proper British authorities to this very important matter.

I am, very sincerely,

E. H. SMITH.

The attitude of Senator SWANSON follows:

UNITED STATES SENATE,
Washington, D. C., April 29, 1924.

To whom it may concern:

I understand several of the officers of the Tobacco Growers' Association contemplate visiting Europe in order to interest tobacco buyers there.

The Tobacco Growers' Cooperative Association is a very large and successful organization, patronized extensively by the growers and purchasers of tobacco in America. Nearly all of the large tobacco companies purchase from the association, and it has been a source of regret that more of the large European companies have not done so.

I believe such a policy on the part of European buyers a mistake, and that when they fully understand the situation and conditions they will abandon it.

I commend the persons representing this association as men of high character and standing, both socially and financially.

With best wishes, I am,

Yours very truly,

CLAUDE A. SWANSON,
United States Senator from Virginia.

The Governors of Virginia and South Carolina have expressed themselves definitely in favor of these organizations.

RICHMOND, May 1, 1924.

To whom it may concern:

Mr. Oliver J. Sands and other officers of the Tobacco Growers' Cooperative Association of Virginia, North Carolina, and South Carolina are going abroad for the purpose of presenting the aims and business of the cooperative association to the buyers of leaf tobacco.

The situation of the American farmer has been such as to command the sympathetic interest of our National and State Governments, and many laws have been passed looking toward the betterment of this condition.

After most exhaustive investigation and study the experts of our governments have concluded that the marketing conditions as heretofore existing were such as to deprive the producers of much of the price paid by the manufacturers and consumers and that the cooperative plan of selling would bring to the farmer a larger return for his products.

The Government is not favorable to monopolies or to the undue withdrawal of products from sale, but it is encouraging in every possible way the orderly marketing of the staple crops of this country.

The plan of the tobacco growers is based upon proven methods of organization and management and is supported by many thousands of our best farmers and by the business interests throughout this territory.

It was my pleasure to appoint Mr. Sands as public director of this association and I bespeak for him and his associates the attention and consideration which this most worthy undertaking deserves.

Never before in the history of this world has the welfare of all the people of every country been so fully recognized as a problem of the mutual interest of the leading nations, and in so far as it is possible to cooperate for the general good it will inevitably lead to better understanding and more cordial relations.

Very respectfully,

E. LEE TRINKLE, Governor of Virginia.

STATE OF SOUTH CAROLINA,
OFFICE OF THE GOVERNOR,
Columbia, April 28, 1924.

The PRESIDENT IMPERIAL TOBACCO CO.

MY DEAR SIR: I am advised that a commission from the Tri-State Tobacco Growers' Association will go to England soon to lay the matter of the relationship of the Imperial Tobacco Co. and their association before the directors of your company.

As a farmer, principally producing cotton, I have been a student of cooperative marketing for a number of years, and was one of those who, as a private citizen, took an active part in promoting both the

cooperative marketing association for cotton and tobacco. It was never intended, and has not been the practice, that cooperative marketing association become a holding company, as has been reported, neither was it their purpose in organizing to force up prices inconsistent with the laws of supply and demand upon either manufacturers or consumers. They are organized for the purpose of promoting orderly marketing and the elimination of the immense expense of "middlemen"—a greater profit for their tobacco than obtained under the former methods of marketing, where their crops were thrown hurriedly upon the market and sold in a short time and at such variable and conflicting prices as to render the future entirely uncertain.

We are merely taking the position that just as every other occupation or vocation is entitled to a reasonable profit for labor performed or investments made, that so the man who feeds and clothes the world and supplies it with its luxuries, is likewise entitled to a reasonable profit over and above the cost of productions.

Our very best people, in the interest of the development of our resources, have taken part in this movement. It has been liberally patronized by many of the principal buyers of tobacco in our country, but for some reason, I must think under misinformation or misapprehension, your company has refused to deal with them and has, in fact, boycotted the association. I sincerely believe that an open investigation of conditions would change your course of action, and that you would find it from every standpoint to your advantage to deal with our American producers through their organizations.

I most earnestly recommend the message that this committee brings to you to your careful consideration, and will appreciate any courtesies you may show them.

Very respectfully yours,

THOMAS G. MCLEOD,
Governor of South Carolina.

In addition, we are attaching affidavits from 52 important local bankers, merchants, and legislators, indicating generally their judgment that the tobacco association, particularly the Bright Tobacco Growers' Organization, is sound, has been cleanly and efficiently managed, and is the type of movement which they favor and desire for their districts.

As a type of the affidavits, we here set forth a statement of Frank Brand:

COMMERCIAL & SAVINGS BANK,
Florence, S. C.

I believe that I am thoroughly familiar with the conditions of the agricultural interest, both past and present, of this and the surrounding counties, being president of the Commercial & Savings Bank of Florence, S. C., with branches at Lake City and Timmonsville, S. C., and connections throughout the tobacco-growing section of the State. A large portion of the business of this bank is directly or indirectly connected with the farmer.

During the years 1920 and 1921 the financial situation of the average farmer was most precarious and disheartening in the extreme both to himself and to those with whom he did business.

The returns from his tobacco were far less than the cost of production.

The farmers, in the latter part of 1921, realizing the hopelessness of the future under the then existing conditions, in an attempt to apply the sound business principles to the marketing of their products as were being used by the great commercial interests of the country, organized cooperative tobacco and cotton associations.

With experienced business executives in charge these associations began to function in 1922. I have now seen them in operation for two years, and have no hesitation in saying that they have been the economic salvation of this section of South Carolina. The effect on the agricultural interests and allied pursuits has been remarkable, and I think I am safe in stating that conditions have improved 100 per cent. I believe that every right-thinking citizen will concede that the basic principles of cooperative marketing are sound and that the farmers in their effort to better their condition without calling on outside assistance should receive every encouragement. A majority of our most influential farmers belong to these associations.

Speaking of the Tobacco Growers' Cooperative Association, the officers are well known to me personally and I have been much impressed with their integrity, ability, and spirit of fair dealing. They have overcome almost unsurmountable obstacles.

One of the most outstanding of these obstacles has been the lack of support, amounting to hostility, of the largest purchaser of the tobacco grown in this section, the Imperial Tobacco Co. This has been clearly indicated to me by their failure to purchase any of their requirements from the association. Their position is so well known that it is the subject of conversation on the streets and, at times, of much bitterness. Our farmers can not understand, nor can it be explained to them, why their organization, controlled by them and operated for them, and at the same time working no hardship on any person, either consumer or manufacturer, sponsored by the Government of the United States, receiving the support of and encouragement of the authorities of every State in the Union, should be singled out by the Imperial

Tobacco Co. alone, of all the great companies for what they can not help but construe as unfriendliness at the least.

I feel that both the Tobacco and Cotton Growers' Cooperative Associations are absolutely essential to the welfare of this State, and I can not indorse them too strongly.

FRANK BRAND,
President of Bank.

These statements as a whole indicate conclusively that the cooperative marketing movement and these associations in particular are definitely in line with the most advanced and intelligent opinion in the United States as to the proper course of progress in agriculture.

The association has done a large business with the R. J. Reynolds Tobacco Co., of Winston-Salem, with the Export Leaf Tobacco Co., and with Liggett & Myers Tobacco Co.

These business relations have proved satisfactory, as the following letters indicate:

R. J. REYNOLDS TOBACCO CO.,
Winston-Salem, N. C., April 26, 1924.

Mr. R. R. PATTERSON,
General Manager Tobacco Growers' Cooperative Association.

DEAR DICK: I have for acknowledgment your favor of the 23d instant, and in reply wish to state that we have bought large quantities of tobacco from your association during the last two years, and it gives us great pleasure to state that our relations with your association have been entirely satisfactory.

Yours very truly,

W. N. REYNOLDS,
Chairman of the Board.

EXPORT LEAF TOBACCO CO.,
New York, April 26, 1924.

Mr. R. R. PATTERSON,
*General Manager Tobacco Growers' Cooperative Association,
Richmond, Va.*

DEAR MR. PATTERSON: The writer wishes to acknowledge receipt of your letter of the 23d, requesting that I write you a letter with reference to our dealings with your association for the past two years, in reply to which I take pleasure in advising that all of the transactions which we have had with your association have been entirely satisfactory.

Assuring you of my highest personal regards, believe me,
Yours very truly,

R. C. HARRISON.

W. DUKE SONS & CO.,
BRAND OF LIGGETT & MYERS TOBACCO CO.,
New York, N. Y., April 24, 1924.

Mr. R. R. PATTERSON,
*General Manager Leaf Department,
Tobacco Growers' Cooperative Association,
Richmond, Va.*

DEAR MR. PATTERSON: We beg to acknowledge your letter of the 23d instant, and we are always anxious to do anything that you may request. We do not, however, write letters, and in this instance we certainly think it unnecessary since our purchases from you are the strongest kind of evidence.

Yours very truly,

C. W. TOMS.

On the other hand, these associations have been almost wholly unable to do business with the Imperial Tobacco Co. (Ltd.), although efforts have been made from time to time by these associations, and price lists and samples have been submitted.

On the contrary, instead of doing business with the cooperative associations, the Imperial Tobacco Co. has instituted what practically amounts to a boycott against the cooperative associations.

The affidavit of T. C. Watkins, jr., seems to set forth the attitude of one important employee of the Imperial Tobacco Co.:

STATE OF VIRGINIA, City of Richmond:

T. C. Watkins, jr., being first duly sworn, deposes and says:

"That I am a member of the board of directors of the Tobacco Growers' Cooperative Association and am employed by the said association as director of warehouse; that the said association is an organization of tobacco growers of the three States of Virginia, North Carolina, and South Carolina, formed for the purpose of cooperatively marketing the tobacco grown by its members, for minimizing speculation and waste, and for stabilizing tobacco markets in the interest of the grower and the public.

"That in the summer of 1922 I traveled on a railroad train from Richmond, Va., to South Boston, Va., with J. J. Hickey, of Richmond, Va., a well-known employee of the Imperial Tobacco Co. of Great Britain and Ireland.

"That in a conversation with the said Hickey at the time and place above mentioned the subject of the said Tobacco Growers' Cooperative Association was discussed.

"That in the said conversation the said Hickey told me that the said Imperial Tobacco Co. would never buy a damn pound of tobacco from the said association; that the said association would soon fail and deserved to fail; that the tobacco growers had no reason to form such an organization as the said association and that it ought not to succeed; that the said Imperial Tobacco Co. was one-third owner in the British American Tobacco Co. and that the said British American Tobacco would not, in his opinion, buy a pound of tobacco from the said association."

T. C. WATKINS, JR.

Sworn to and subscribed before me, F. G. Cubbon, notary public for the city of Richmond, in the State of Virginia, this 28th day of April, 1924.

F. G. CUBBON, *Notary Public.*

Your company has not rested with a mere boycott; but some of the employees thereof have indicated definite antagonism. The affidavits of H. L. Lane and John Martin and James Thomas Lacy, jr., definitely indicate points where this antagonism has crept out and become public property.

In addition to this boycott and open antagonism, the Imperial Tobacco Co. has taken steps to foster the extension of tobacco production in Georgia, although your officers know as well as all other merchants in the United States that the production has been more than ample for all commercial needs.

The secretary of the Farm Loan Bureau presents evidence of the attitude of the Imperial Tobacco Co. in extending tobacco production in south Georgia, always under the condition that the farmer must sell his crop through the auction warehouses, which are the greatest antagonists of the cooperative marketing idea. The letter of Mr. Hefley follows:

TREASURY DEPARTMENT,
FEDERAL FARM LOAN BUREAU,
Washington, April 23, 1924.

Hon. CARTER GLASS,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In accordance with your request over telephone, we furnish below an extract from a report made by our reviewing, appraiser on the agricultural conditions in southern Georgia:

"The development of the tobacco industry in south Georgia has during the past two years assumed considerable proportions. It is estimated that between 30,000 and 40,000 acres will be planted in tobacco this coming year. The Imperial Tobacco Co. is fostering this production in cooperation with local banks and supply houses. This company maintains a considerable number of demonstrators who sign up the farmers, under contract, to plant a certain acreage in tobacco, the demonstrator to advise the farmer in the culture, handling, and marketing; also to furnish detail plans for construction of necessary barns. For this service the demonstrator received 10 per cent of gross sales from each farmer, whose operations he supervises. The tobacco company is also said to be directing the establishment of sales warehouses conveniently located, and the farmer is required to dispose of his entire crop through these warehouses. We observed large numbers of tobacco barns, either newly constructed or in process of construction.

"Attention is particularly called to the fact that the demonstrators above referred to are in every way possible working along lines intended to prejudice the farmers against affiliating with the Tobacco Growers' Cooperative Associations. This information was secured by M. Stevens and myself through conversation which we had with demonstrators at the hotel in Willacoochee and at Valdosta."

Yours very truly,

C. R. HEFLEY,
Secretary Farm Loan Board.

In addition, several of the buyers of the Imperial Tobacco Co., particularly Mr. Love, have been paying abnormally high prices for non-members' tobacco on the auction floor, especially with divided crops where the owner may be a member of the cooperative association and the tenant sells on the auction floor. In several such instances, when this fact was called to the attention of Mr. Love, he paid a price beyond the price usually paid for that grade of tobacco at that time, obviously to create dissatisfaction and to make the member of the association feel that he was not receiving a proper price for tobacco, because he would receive only the normal and proper price of the tobacco sold in the usual way through the normal channels of trade. The affidavits of F. L. Thomas, H. B. Stokes, E. C. Johnson, and C. C. Johnson support this statement.

In addition, the attitude of the Imperial Tobacco Co. has tended to encourage weak members to breach their contracts with the association and to violate the law of the land by so doing. Both by action and words the representatives of the Imperial Tobacco Co. have helped to create and foment dissatisfaction among members of the cooperative association and to confuse them as to the purposes, operations, and results or accomplishments of these associations.

The attitude of the Imperial Tobacco Co. is believed to be responsible for much trouble with contract violators, particularly in Virginia and North Carolina.

The results of this attitude on the part of the Imperial Tobacco Co. are that one of these associations is unable to sell tobacco to the largest buyer of bright tobacco in the United States, and huge stocks of tobacco are left unsold and have to be carried over to later seasons, always accumulating. Great damage has been done to the cooperative associations. Many contract violations are traceable to the open attitude of the Imperial Tobacco Co. and the terror caused thereby. It has prevented the cooperative associations from stabilizing prices because of the unscientific and manipulated auction markets. It has prevented a proper normal growth of the cooperative association, and it has caused great bitterness against things British. Many scores of thousands of farmers do not look kindly upon the effort of a small group of men sitting in England to thwart them in their one chance to secure a decent standard of living for their families by means of the type of organization which they were encouraged to adopt by their own American leaders, and even by their own Government.

These cooperative associations have refrained from bringing these matters of boycott and discrimination before the Federal Trade Commission or the courts. They have urged their friends in the Senate to refrain from open attacks and from a proposed investigation.

These associations have taken the view that the directors of the Imperial Tobacco Co. may have adopted their present course before they had an opportunity to understand fully the purpose or operations or the probable results of such cooperative marketing associations. These associations believe that the board of directors of the Imperial Tobacco Co. have been advised by their American managers; but these American managers have been acting under the force of their old established ideas and may not feel the responsibility for obstructing an enlightened movement for fair play.

These associations are aware that the company may give various reasons for its refusal to deal with the cooperative associations. It may say that the grading is not right; or that the prices are not right; or that it does not want to deal with new organizations.

But, as a matter of fact, it need not take any tobacco that does not come up to its standards. The grading has satisfied other big companies and purchasers, including the Export Leaf Tobacco Co. and Gallaher (Ltd.). There is not a single thing done in the grading and handling of tobacco purchased on the auction floor that it can not do equally well by purchases from these associations.

The company must admit that the prices are fair, because in some instances it has paid more for tobacco bought from nonmembers than it would need to pay for that grade of tobacco already tendered to it by the association at slightly lower prices. It must recognize that the organization is here and is here to stay. It may point to the fact that in the bright tobacco area we do not have the majority of the growers in the association; but the company knows that we have the majority of the farmers signed on the contracts, and that violations of contract and deliveries in breach of contract have brought the association below the 50 per cent mark, primarily because of the boycott and antagonism of the Imperial Tobacco Co.

There is not a single commercial reason; there is not a single moral justification for the present attitude or the practices of the Imperial Tobacco Co. in either boycotting, antagonizing, or discriminating against these cooperative associations.

The purpose of these associations is to stabilize the industry and to secure a fair price for raw tobacco and to permit the men who grow tobacco to have something to say in determining that fair price in the same way as the Imperial Tobacco Co. has something to say in determining the price for which it sells its manufactured goods to the trade and to the public.

There is no need to continue the system under which the growers had nothing whatsoever to say with regard to the prices of their commodities, and in which they had to take any price that was offered and then debase their standards of living accordingly. Some change of system is bound to stay; and the best thinkers in America believe that cooperative marketing is that change.

Therefore, these associations come to ask that the responsible heads of the Imperial Tobacco Co. definitely change their policy toward cooperative marketing groups; that they stop antagonism and discrimination against cooperative associations; that they stop their policy of urging extension of tobacco production, as far as such activities are actuated by antagonism to the cooperative or are unnecessary as far as quantity or quality of production are concerned; that they begin business relations with the cooperative association and buy from the cooperatives about the same proportion of their purchases as the cooperatives represent in percentage of type of crop handled through each association; all under the assumption that grading will be made satisfactory, and that prices will be fair and will not be greater than the prices at which the Imperial Tobacco Co. is buying such tobacco in bulk from outside sources.

The cooperative associations have confidence in the ultimate sense of justice and fair play on the part of the members of the executive

committee of the Imperial Tobacco Co., and urge immediate consideration of this change of policy.

Respectfully submitted.

TOBACCO GROWERS' COOPERATIVE ASSOCIATION.

By G. A. NORWOOD.

BRIGHT WILLIAMSON.

OLIVER J. SANDS.

A. R. BREEDLOVE.

T. C. WATKINS, JR.

DARK TOBACCO COOPERATIVE ASSOCIATION.

By R. E. COOPER.

J. C. ENGLEHART.

BURLEY TOBACCO GROWERS' COOPERATIVE ASSOCIATION.

By JAMES C. STONE, *President and General Manager.*

AARON SAPIRO, *Counsel.*

Mr. ERNST. I desire also to present the report which was made by this commission after its return from England, and after it had its interviews with the head of the Imperial Tobacco Co. As will be seen from this report, the question which was directed to the Imperial Tobacco Co. by this commission was, "Will you buy tobacco from cooperative associations, assuming that they can satisfy your buyers as to grade, condition, and price?"

The PRESIDENT pro tempore. Does the Senator from Kentucky ask that the documents be printed as a part of his remarks?

Mr. ERNST. I do; these and one or two others which I will supply.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The report above referred to is as follows:

REPORT OF COMMISSION ON IMPERIAL CONFERENCE

The tobacco commission arrived at the office of the Imperial Tobacco Co. at 1.25 p. m. on Thursday, May 15.

They were met by Mr. George Falk, secretary of the board of directors, and by him introduced to the majority of the executive committee then in session.

The chairman of the executive committee was not present. It was stated that he was at home on account of illness. Mr. H. W. Gunn acted as chairman, and others present were A. F. Faulkner, Sir Gilbert Wills, C. S. Clark, E. R. Still, solicitor, L. H. Reed, T. R. Davie, Mr. Monckton, and Mr. Earl, and three others, including the assistant to the solicitor, Mr. Still.

At 1.30 the members of the tobacco commission and the representatives of the Imperial Tobacco Co. were invited in to lunch.

At 2.45 they adjourned to the board room and Mr. Gunn called the meeting to order.

Mr. Sands then arose and made the opening statement for the cooperative marketing association. This was a dignified, general statement in behalf of the three associations, explaining generally and without any suggestion of criticism the desire of the cooperative associations to enter into business relations with the Imperial Tobacco Co. At the opening of his remarks Mr. Sands read the letter of President Coolidge, and also letters from the Governor of South Carolina and from Ambassador Kellogg, all of these indicating that these cooperative marketing associations were organized for high purposes and along lines definitely approved by the United States Government. Letters were also presented from Liggett & Myers, R. J. Reynolds Co., and the Export Leaf Tobacco Co. stating that they had been buying tobacco from the cooperative associations and were satisfied.

No further documents were then submitted and no further subjects were then introduced. Then Mr. Sands called on Mr. Stone to speak specifically for the Burley Association. Mr. Stone explained that the condition of the burley section did not primarily depend upon the exportation of tobacco and that the purpose of the cooperative associations was to stabilize prices and avoid wide fluctuations in prices. At this point Mr. Gunn asked questions to try to bring out that the wide fluctuations in burley tobacco were caused by local American conditions only.

Mr. Faulkner was answered on the point regarding his organization to the effect that his organization might remain intact, and that the only departure was that the Imperial Tobacco Co. with the same organization might make purchases from the floors of the associations' warehouses, at the very same time and in the very same places, with the same men with whom it was operating from and with the non-cooperatives, or at auction floors antagonistic to the association. The question was: "Will you buy tobacco from the cooperative associations, assuming they can satisfy your buyer as to grade, condition, and price?"

To this question, which was asked in different forms by Mr. Sands and Mr. Sapiro, no definite answer was given at any time during the interview. Mr. Breedlove brought out that he could deliver tobacco in any form desired. Mr. Cooper made the same representation for his association. To these statements were answered general claims of

good will, but no single definite assurance was made nor any indication of a change of policy.

The letter of Mr. Hefley, secretary of the Federal Farm Loan Bureau, was read, stating specifically that the Imperial Tobacco Co. was fostering the extension of tobacco production in southern Georgia under express conditions showing antagonism against the cooperative marketing associations by the Imperial Tobacco Co. Mr. Gunn denied that this had been attempted, and Mr. Reed stated that he knew nothing of it and repudiated it. Efforts were made to get the tobacco commission to openly accept the statement of Mr. Reed and several of the members tactfully stated that they were willing to take Mr. Reed's word and close the matter; but this attitude was not taken by all of the tobacco commission and the majority of the commission remained silent and submitted the letter.

It was then brought out that there was a very general and widespread opinion in the tobacco areas that the Imperial Tobacco Co. was opposed to and actually antagonized these cooperative associations, and that this might be due to subordinate employees or others. The board of directors of the Imperial Tobacco Co. was asked if they would not issue a statement of denial of this feeling; but they declined to do so, and they would make no formal statement or definitely publish anything that would deny that there had been antagonism by any of their employees. Mr. Sands stated that it was his opinion and the opinion of many others that if the cooperative associations were compelled to break up, the Imperial Tobacco Co. would be held to blame in the minds of the farmers throughout the United States.

More than two hours were spent in discussion, and the attempt of the tobacco commission to narrow down the issues to the real point, namely, will the Imperial buy tobacco from the association and stop the boycott, was continually evaded. Mr. Gunn made the statement that they had made purchases, but it was pointed out that the purchases were relatively small. It was stated that out of the dark-fired types in the Dark Tobacco Association they had made purchases of about 25,000 pounds out of more than 12,000,000 pounds purchased from the auction floors, and out of the 150,000,000 pounds of bright tobacco handled by the tobacco growers' cooperative associations in 1923 they had not bought a single pound, but had made small purchases of dark tobacco probably because it could not be bought elsewhere.

Definite evidence was given of the boycott by the Imperial Tobacco Co. definitely proved by no substantial purchases.

The commission then asked for two specific things—first, that definite efforts be made to stop actual antagonism by the Imperial Tobacco Co. against the cooperatives, and to correct publicly the reports of such antagonism, and to stop the extension of tobacco territory against cooperative marketing antagonism, whereas there already is overproduction greater than the commercial requirements, and whereas the increased production was intended solely to embarrass cooperative marketing; second, that in some manner the Imperial Tobacco Co. would make purchases of tobacco from the cooperative marketing associations somewhat in proportion to the amount of tobacco which each association handled, considering each type always with the assurance that such purchases would be satisfactory as to grading and condition and price. The executive committee refused point-blank to do either of these things. They stated that they had been very much interested in the things that the tobacco commission had pointed out.

Mr. Sands, then in the name of the commission, expressed the extreme pleasure of the commission in meeting the various members of the committee. Then the tobacco commission repeated its request for something definite and asked for another meeting at which they might have further discussion and an answer to their specific requests, but Mr. Gunn stated that he did not think another meeting would be helpful.

Then Mr. Sands presented a brief bringing out all of the points of discussion of the entire afternoon. This brief had been prepared in advance and signed by the commission.

Mr. Sands called on Mr. Cooper to speak specifically for the dark association. Mr. Cooper pointed out facts regarding the operations of his association, and further pointed out that this association had been practically unable to make any real sales to the Imperial.

Mr. Gunn then asked questions in an attempt to bring out the idea that the condition of the continental countries was responsible for the bad conditions in the dark tobacco areas. Mr. Cooper replied to this question by pointing out that the continental buyers had bought in very large quantities and did not show evidence of a crippled buying power.

Throughout this discussion the attitude of the directors of the Imperial Tobacco Co. was that of studied and careful courtesy, as if to show that they were going to give the tobacco commission careful attention and thus avoid the charge of having been unwilling to give them a hearing.

Mr. Sands then called on Mr. Breedlove. He explained the eager willingness to sell tobacco to the Imperial Tobacco Co. Then there were questions raised as to the difficulty of the associations delivering tobacco to the Imperial Tobacco Co. because of grading or other

conditions. Mr. Breedlove explained that their requirements of grading could be met and that the association was ready and able and willing to sell them any tobacco in any and every condition acceptable by the company. Mr. Gunn repeated three or four times that conditions were different because they had to buy for a different country and had to have different packing, and pointed out other technical details. Mr. Faulkner also brought out the point of the existence of his very expensive organization, made up after the efforts of years, which they did not want to disrupt.

The discussion then became general. Mr. Gunn then asked Mr. Sapiro questions regarding cooperative marketing in general. It looked as though they wanted to get information on all outside things and to avoid any further discussion of the main issue, namely, should they buy tobacco from the associations.

Mr. Sands called on Mr. Bright Williamson for a statement. Mr. Williamson stated how he had become interested in the cooperative movement, and also stated why the movement was essential to the prosperity of his section of the country. Various members of the commission were supported by more than 53 affidavits confirming the various points made. The brief contained copies of letters from the President, Secretary Hoover, the Governors of Virginia and South Carolina, Senators SMITH and SWANSON, and other documents indicating that these associations were in line with the most advanced social and economic thought in the United States. The committee also referred to and left with the executive committee a pamphlet issued by the American Bankers' Association, showing the general support and approval of the bankers of America to the cooperative marketing movement.

Mr. Gunn then invited the commission to tea, but the commission felt obliged to return to London.

Mr. Gunn brought out several times that the English were slow to change, and that they could not be expected to take quick action on this matter. It was brought out to him that this condition had been the same for over two years, and that the things the tobacco commission were requesting were not new things: First, that the Imperial stop its actual antagonistic fight against cooperatives, and, second, that they use their present organization in buying some tobacco from the cooperatives in just exactly the same way they have been operating and buying from the noncooperative growers.

The meeting then broke up. Then Mr. Faulkner stated to Mr. Stone and Mr. Sapiro that he was hardly to blame for his prejudice against the associations, because they received so many newspaper reports and clippings against the cooperative associations; and that he expected to meet with Judge Bingham and Mr. Lloyd-George some time during this month at London to discuss the matter further.

Mr. ERNST. Notwithstanding this effort on the part of the commission from the Tobacco Growers' Association no answer was made to that question, and the Imperial Tobacco Co. would not agree to say even that they were not opposed to the associations. No positive expression of opinion could be obtained from this company.

Next, a letter from one of the representatives of the Growers' Cooperative Association, a portion of which only I will read.

A LETTER FROM A REPRESENTATIVE OF THE GROWERS COOPERATIVE ASSOCIATIONS

JANUARY 20, 1925.

This agreement between the American Tobacco Co. and the Imperial Tobacco Co. was originally made in 1902; and provided that the American Tobacco Co. should not sell manufactured goods in the United Kingdom, and that the Imperial Tobacco Co. should not sell manufactured goods in the United States, and that the two of them should form the British American Tobacco Co., which would then sell in the rest of the world.

Then the American Tobacco Co. proceeded to absorb a great many companies in the United States and was finally ordered dissolved by court proceedings culminating in the famous tobacco decree of 1911.

Since that time, strange to say, the American Tobacco Co. still does not sell any important quantities of manufactured goods in Great Britain, and the Imperial Tobacco Co. does not sell in the United States, and there seems to be a continuation of that agreement.

It was originally thought that this agreement and the continuation of the agreement by an understanding through action, would not affect the trade very much, because it was simply a matter as to whether the American Tobacco Co., or the Imperial Tobacco Co. manufactured goods for such and such a trade.

Therefore, the distributors, as such, have not been fighting against this situation.

But it does affect the growers in a very harmful way. Great Britain does not use exactly the same types and grades of tobacco that the American consumers use. Therefore, this agreement and

understanding, between the American Tobacco Co. and the Imperial Tobacco Co., makes the Imperial Tobacco Co. the great purchaser of certain types of tobacco, so that in buying raw-leaf tobacco from the growers it absolutely dominates the market.

A similar result happens in reference to the American Tobacco Co. with certain other grades and types, although there the American Tobacco Co. is not permitted to dominate the market, but simply becomes a very large factor in the market.

Now, if the Imperial Tobacco Co. chooses to boycott a cooperative association, that means that there is practically no other purchaser for that particular grade or type of tobacco, or if the American Tobacco Co. chooses to boycott, that means that the possibility of sale of certain types of tobacco is distinctly limited.

But if there were no understanding between these two companies, then there would be free and open competition between the American Tobacco Co. and the Imperial Tobacco Co. on all of the grades and types, because the American Tobacco Co. would naturally want to buy the leaf tobacco to make the product that the British people like, and the Imperial Tobacco Co. would likewise conform to American taste.

Now the Imperial Tobacco Co. buys an average of 100,000,000 to 125,000,000 pounds of bright tobacco each year. These tobaccos are grown chiefly in the Carolinas and Virginia.

The Tobacco Growers Cooperative Association is composed of about 100,000 growers in Virginia and the Carolinas, and has actually had delivered to it from 26 to 32 per cent of all the bright tobacco produced in the country.

The contracts with the members should have brought a greater delivery, but for reasons which will appear later the control of the crop was between 26 and 32 per cent.

Nevertheless the Imperial Tobacco Co. did not buy any tobacco from the association out of the 1922 or 1923 crops.

The Imperial Tobacco Co. likewise buys from 8,000,000 to 10,000,000 pounds of dark tobacco each year.

The association in 1922 and 1923 had deliveries of 53 and 54 per cent, respectively, of the dark tobacco produced in Virginia.

Yet of that amount the Imperial Tobacco Co. bought from the association less than one-half million pounds out of its total requirements of over 8,000,000 pounds.

The American Tobacco Co. purchases from 30,000,000 to 35,000,000 pounds per year of bright tobacco.

Out of the 1922 crop the American Tobacco Co. bought approximately 5,000,000 pounds from the association, and of the 1923 crop it bought nothing.

On the 1924 crop neither the Imperial Tobacco Co. nor the American Tobacco Co. has bought anything from the association.

Not only did the Imperial Tobacco Co. practically boycott these associations, but in addition the buyers for the company did things to attempt to dissatisfy our members and thereby cause a breach of contract. They paid more for tobacco on open-auction floors than they could have purchased that tobacco for on straight tenders made by the association.

Their agents attempted to extend and increase the production of bright tobacco, even in the face of what was generally considered an overproduction.

As the affidavit of Mr. Watkins sets out, Mr. Hickey, one of their important employees, told Mr. Watkins, who is one of the important officials of the Tobacco Growers Cooperative Association, that the Imperial Tobacco Co. "would never buy a d— pound of tobacco from the said association," and so on.

In short the communication of the Cooperative Growers Association to the Imperial Tobacco Co. of May 14, 1924, shows fully the policy of antagonism adopted by this British company to try to prevent the American farmers from conducting their business along lines definitely approved by the leading authorities of this country from the President down.

In the dark-tobacco belt the Imperial Tobacco Co. usually uses 10,000,000 to 12,000,000 pounds of Green River tobacco per year, about 2,000,000 pounds of dark-fired stemming, and about 7,000,000 pounds of dark fired.

Of these requirements the Imperial Tobacco Co. has bought from the Dark Tobacco Growers Cooperative Association, in 1922, the full amount of 25,000 pounds of dark-fired tobacco, and in 1923, 700,000 pounds of Green River tobacco.

In spite of that fact, the Dark Tobacco Growers Cooperative Association has controlled between 40 and 50 per cent of these types of tobacco in Kentucky and Tennessee.

During the same years the American Tobacco Co. had average requirements of 10,000,000 to 12,000,000 pounds of air-cured tobacco and about one-half million pounds of dark-fired tobacco.

In 1922 the American Tobacco Co. purchased 5,000,000 pounds of Green River tobacco and 3,000,000 pounds of One Sucker.

Of the 1923 crop the American Tobacco Co. purchased about 800,000 pounds of Green River tobacco and 300,000 pounds of One Sucker tobacco.

These two companies control the conditions of purchase and sale of the tobacco in the Green River district, and their refusal to buy determines whether or not the crop will move at any price.

Strange to say, the attitude of both of these companies is absolutely parallel in reference to the cooperative associations.

They have attempted to boycott; their buyers have openly favored the auction markets, even where the prices were higher than tenders made by the cooperative associations.

It is impossible for the cooperative associations to meet this situation adequately, without the help of the law.

The associations must find customers; and on the different types, either the American Tobacco Co. or the Imperial Tobacco Co. prevails and dominates.

They can hold off these markets, and then spread rumors to the effect that the association can not sell the tobacco.

That affects our credit; the bankers get frightened; the growers get frightened.

Before we do a thing the growers begin to break contracts; the tobacco accumulates in the warehouses. The news of that accumulation is spread among the growers by these representatives; then the growers begin to bootleg the tobacco on the auction floors.

Then these buyers come in and buy on these auction floors a great deal of tobacco.

Now, we do not claim that a buyer needs to support the cooperative association; but we do maintain that this agreement and understanding between the Imperial Tobacco Co. and the American Tobacco Co., which results in giving each one a practical monopoly of control of certain types of tobacco, which prevents competition in those grades of tobacco is therefore a restraint of competition in interstate commerce. We maintain that all this is unfair trade practice, within the view of the Federal Trade Commission practice; and that the growers of the country have been badly damaged thereby, and that the whole matter warrants an investigation by the Federal Trade Commission, to determine the extent of the restraint of trade, and to throw the public light on the tactics of these two companies.

I also desire to have inserted as part of my remarks a statement prepared by the association, of estimated amount of purchases by the American and the Imperial tobacco companies, and the amount actually purchased from the Tobacco Growers' Association by these companies.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

The estimated amounts of purchases, bright and dark tobacco, by the American Tobacco Co. and the Imperial Tobacco Co., as follows:

BRIGHT TOBACCO

American Tobacco Co. (per year), 20,000,000 to 35,000,000 pounds.
Imperial Tobacco Co. (per year), 100,000,000 to 125,000,000 pounds.

DARK TOBACCO

Imperial Tobacco Co. (per year), 8,000,000 to 10,000,000 pounds.

The following is amount purchased by each company from the association:

1922 CROP, BRIGHT TOBACCO

American Tobacco Co., 5,055,228 pounds green order; 77,326 pounds redried.

1922 CROP, DARK TOBACCO

Imperial Tobacco Co., 458,507 pounds green order.

Neither of the above companies bought any tobacco from the 1923 crop, nor have they bought any from the association of the 1924 crop.

However, the American Tobacco Co. has given an order for 50,000 pounds dark fired Virginia, 1924 crop. No orders from the Imperial Tobacco Co. for 1924 crop.

With reference to the proportion of each type controlled by the association, I give you below statement, by crops, of the bright and dark fired tobaccos, both auction figures and our receipts, as well as the total production and the association's percentages:

	Auction	Association receipts	Total	Association
BRIGHT				
1922	281,536,776	183,185,024	414,721,800	Per cent 32.11
1923	422,130,597	152,931,348	575,061,945	26.59
DARK				
1922	26,917,453	30,404,020	57,321,473	53.04
1923	22,700,547	27,169,237	49,869,784	64.43

I trust that the above information is what you desire.

Yours very truly,

P. S.—With reference to the 1924 crop, same not yet completed; the figures for this crop therefore not available at this time.

Mr. ERNST. There are also sundry affidavits which I desire to have inserted without reading, and I ask that that be done. The PRESIDENT pro tempore. Without objection, it will be so ordered.

The affidavits are as follows:

STATE OF VIRGINIA, City of Richmond:

T. C. Watkins, Jr., being first duly sworn, deposes and says:

That I am a member of the board of directors of the Tobacco Growers' Cooperative Association and am employed by the said association as director of warehouses; that the said association is an organization of tobacco growers of the three States of Virginia, North Carolina, and South Carolina, formed for the purpose of cooperatively marketing the tobacco grown by its members, for minimizing speculation and waste, and for stabilizing tobacco markets in the interest of the grower and the public.

That in the summer of 1922 I traveled on a railroad train from Richmond, Va., to South Boston, Va., with J. J. Hickey, of Richmond, Va., a well-known employee of the Imperial Tobacco Co. of Great Britain and Ireland.

That in a conversation with the said Hickey at the time and place above mentioned the subject of the said Tobacco Growers' Cooperative Association was discussed.

That in the said conversation the said Hickey told me that the said Imperial Tobacco Co. would never buy a damn pound of tobacco from the said association; that the said association would soon fail and deserved to fail; that the tobacco growers had no reason to form such an organization as the said association and that it ought not to succeed; that the said Imperial Tobacco Co. was one-third owner in the British-American Tobacco Co., and that the said British-American Tobacco Co. would not in his opinion buy a pound of tobacco from the said association.

T. C. WATKINS, JR.

Sworn to and subscribed before me, F. G. Curbon, a notary public for the city of Richmond, in the State of Virginia, this 28th day of April, 1924.

F. G. CURBON, Notary Public.

(My commission expires August 4, 1926.)

ALBERTA, VA.

I am a citizen of Brunswick County, Va., and am not a member of the Tobacco Growers' Cooperative Association.

In the year 1922 Mr. R. R. Wesson owed me \$250. I went with Mr. Wesson to Blackstone, Va., when he took his tobacco to market. He delivered it to the planters' warehouse, an open warehouse at Blackstone, and the highest bid offered for this tobacco was about \$200 for the lot. Mr. Wesson refused to accept this bid. I asked Mr. D. W. Perkins, manager of the warehouse, if he could not obtain for him a better price for this tobacco. Mr. Perkins informed him that this was impossible as the tobacco had brought the market price. I then asked Mr. Wesson if I could take the tobacco and credit his account for the amount it brought on the open warehouse, and he allowed me to do this. I then went to the warehouse of the Tobacco Growers' Cooperative Association and asked Mr. T. P. Jones, the manager, if I could put it in the association and was informed by Mr. Jones that I could not unless I was a member of the association.

I then returned to the planters' warehouse and commenced to load the tobacco on the wagon of Mr. Wesson. Mr. D. W. Perkins asked me what I was going to do with the tobacco, and I told him I was going to deliver it to the Tobacco Growers' Cooperative Association. He then asked me how much I would take for the tobacco, and I told him that I would take \$310, which was about double the amount offered for it when it was put on the floor by Mr. Wesson. Mr. Perkins asked me to wait a minute until he could see Mr. J. E. Beach, buyer for the Imperial Tobacco Co., and after seeing Mr. Beach, Mr. Perkins told me he would pay me \$310 for the tobacco.

This was the same lot of tobacco which was originally bid on for about \$200 for the lot.

C. C. JOHNSON,
Alberta, Va.

Sworn to and subscribed before me this 9th day of January, 1923.

A. B. ELMORE, Notary Public.

(My commission expires May 18, 1926.)

KENBRIDGE, VA.

I, R. L. Thomas, of Lunenburg County, Va., am a member of the Tobacco Growers' Cooperative Association.

In the winter of 1922 I brought a load of tobacco raised by a tenant on my land to Kenbridge, Va. One-half of this tobacco belonged to me and the other half belonged to the tenant. I delivered my tobacco to the association warehouse at Kenbridge, and as my tenant was not a member of the association, I carried his half of the tobacco to the open warehouse at Kenbridge. The highest bid offered on one pile of this tobacco belonging to the tenant was \$36 per hundred pounds. I refused to accept this bid. Mr. Love, the buyer for the Imperial Tobacco Co.,

came to me and asked me what I was going to do with this pile of tobacco. I informed him that this tobacco belonged to a tenant of mine who was not a member of the association and that I had just delivered my share of this same crop to the association, and that I was going to take this pile of tobacco and deliver it to the association unless I received \$47 per hundred pounds for it. Mr. Love, without any further remarks, marked this pile of tobacco \$47 per hundred pounds and, I think, placed on it the grade "PE."

R. L. THOMAS,

Sworn to and subscribed before me this 3d day of August, 1923.

E. M. JETT, Notary Public.

(My commission expires September 30, 1923.)

KENBRIDGE, VA.

I, H. B. Stokes, of Lunenburg County, Va., am a member of the Tobacco Growers' Cooperative Association.

In the year 1922, I made a crop of tobacco on shares with E. W. Acers as tenant, who was not a member of the Tobacco Growers' Cooperative Association. I divided the crop with my tenant and my half was delivered to the Tobacco Growers' Cooperative Association at Kenbridge, Va. The half belonging to Mr. Acers was delivered to the open market at Kenbridge, Va. I was on the open market several times when Mr. Acers put his tobacco on the warehouse floors for sale and special attention was called by Mr. Shackelford, the open-warehouse manager, to the fact that this was a divided load and that the other half had been delivered to the Tobacco Growers' Cooperative Association. When this fact was called to the attention of the buyers, they paid a price beyond the average price of the market on similar grades for the tobacco of Mr. Acers.

On one occasion, John Lou Blackwell, who did not belong to the association, and E. W. Acers sold tobacco on the same day and the prices paid Mr. Acers on his divided load were much higher than the prices paid Blackwell for the same grades of tobacco. One pile of Mr. Acers's tobacco, bought by Mr. Love, the buyer for the Imperial Tobacco Co., was about \$11 per hundred pounds higher than the price paid for a similar grade of tobacco belonging to John Lou Blackwell.

I have heard other members of the Tobacco Growers' Cooperative Association and outsiders state that it is a very common occurrence when it is known that a divided crop is on a warehouse floor for such tobacco to bring much higher prices than similar grades of tobacco that are not part of a divided crop.

HENRY B. STOKES.

Sworn to and subscribed before me this 3d day of August, 1923.

E. M. JETT, Notary Public.

(My commission expires September 30, 1923.)

Mr. ERNEST. As I have stated, the commission wholly failed in its purpose to obtain any satisfaction from the Imperial Tobacco Co. The action of the Imperial Tobacco Co. and the American Tobacco Co. has been such that only one conclusion can be fairly drawn from it and that is that they are distinctively hostile to these cooperative tobacco associations and are endeavoring by various devices to undermine them. The request of these growers that the matter be examined into is a most reasonable one, and should receive the active support of the Members of the Senate. They ask that the investigation be made, not by any committee of the Senate, but by the Federal Trade Commission, in accordance with the law, and that report of their investigations be made to the President not later than July 1, 1925.

This is a large subject, Mr. President. Much more can be said about it. I do not wish, however, to speak at greater length, because Senators have given way to me who are anxious to present other matters. I now ask that immediate action be taken upon this resolution.

Mr. BRUCE. Mr. President, I object. I object on the ground that it seems to me this resolution ought to take exactly the same course as other resolutions.

The PRESIDENT pro tempore. Objection is made.

GOOD ROADS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4971) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes.

The PRESIDENT pro tempore. The question is upon the amendment proposed by the Senator from Pennsylvania [Mr. REED].

Mr. PHIPPS. Mr. President, I propose to make a few remarks with reference to the pending bill, House bill 4971.

For many years I have endeavored to keep in touch with the progress of the good roads movement in the United States. In the early nineteen hundreds our citizens who desired to get

any pleasure out of the use of automobiles, except within very restricted districts, found it necessary to go to foreign countries for that purpose. The good roads of France and of England were quite an inducement, and many of our people spent their vacations and their money on the roads of those countries because we did not have good roads.

It is not, however, the pleasurable use of the automobile which I consider the most important. I look upon the commercial development of our country as the main inducement for the making, the upkeep, and the development of good roads in the United States.

The principal object of good roads legislation so far has been the establishment of national routes throughout the United States. There are various uses for them, among the most important being that for the Postal Service. With the development we have had since 1916, and which, in fact, was greatly retarded by the Great War so that it was not until 1920 that we began to make real progress, the roads have been established to a remarkable extent. They have been made available for the extension of postal routes so that now many rural inhabitants are furnished with regular postal service which they did not previously enjoy.

Mr. SIMMONS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from North Carolina?

Mr. PHIPPS. I yield.

Mr. SIMMONS. In that connection I would like to ask the opinion of the Senator with reference to the effect of these good roads upon the cost to the Government of distributing the rural mails and the parcel-post service. Has it not, as a fact, greatly reduced the cost to the Government—that is to say, if they could not use the automobile as a method of distributing rural mail, would it not be more costly if they should be forced to return to the old methods of distributing it by vehicles drawn by horses? Is not that situation most strongly accentuated with reference to the parcel post? If the parcel post had to be delivered now, with bad road conditions, such as we had before we began to improve our roads and make them hard surfaced, would not the cost to the Government of distribution of those packages be very much greater than it is now with automobiles and hard-surfaced roads?

Mr. PHIPPS. Mr. President, while I have had no figures which would furnish proper comparisons so as to indicate the savings which may be effected and which have been effected from the employment of automobiles over good roads in the Postal Service, many routes have been established which could not possibly have been established before the building of these roads, and undoubtedly the cost of delivery and collection of mails of the United States, and particularly the parcel post, has been materially reduced on account of the use of automobiles on rural routes, and also the routes leading into the large centers of population, where the mails are to be dispatched by railway trains.

I feel that the further development of the good roads which is going forward is going to have a very decided effect upon the efficiency of the Postal Service and tend to lower very materially the cost of handling the mail.

Mr. SIMMONS. Mr. President, let me ask the Senator another question. I think he has made a very correct statement about the lessened cost to the Government of this service. On the other hand, have not the patrons of the rural mail and the senders and receivers of parcel post likewise received a great benefit from the establishment of these roads and the introduction of the automobile?

Mr. PHIPPS. Undoubtedly they have.

Mr. SIMMONS. Of course, the automobile could not have navigated upon our old roads to any very great extent, but the use of automobiles in connection with the better roads has given to the rural population of this country a quick service, a better service, a more regular service, and not only the Government has been greatly benefited, in the reduction of cost, but the patrons of the Post Office Department living in the country have had a very much better service and a very much quicker service. In connection with the mails, quickness is of very great importance, and this combination of advantages in the distribution of the mails in the country has given the country population a service almost equal to that enjoyed by the cities, especially the small towns.

Mr. PHIPPS. Mr. President, I thoroughly agree with the Senator in all of the statements he has made, and I thank him for his contribution.

Undoubtedly the citizens have been benefited and appreciate the fact that it has been possible to extend the benefits of rural free delivery service to them. The proof of it lies in the fact

that other communities are making requests constantly, and where we have routes 24 miles long the requests are coming in continuously to extend the routes and make 36-mile routes, to take in other settlements, because the people in the neighboring communities and the small hamlets see the advantages which their neighbors who have had the service derive from delivery over these good roads, because it means to them more frequent and better service, and regular service, which would have been impossible before the roads were improved.

It has been found possible to give continuous service, even where we have adverse weather conditions, where we have to contend with snow and ice in the wintertime, over roads which have been gravel surfaced only. As to those which have been hard surfaced, so called, macadamized, or sheeted with asphalt or some other paving material, there is no question but that the deliveries may be as continuous and as regular as they are in the large cities themselves.

I believe the commercial features of the transportation over good roads are the most important, perhaps. The transportation of farm products to the markets has been rendered possible by the construction of good roads where hitherto the railways had to be depended upon almost exclusively, meaning that produce had to be transported greater distances. Instead of communities being supplied by the producing country in their immediate vicinity they had to resort to long hauls in order to draw their supplies from distant markets.

It is not only that the farm products shall come into the consuming centers, but also that the products of manufacturers may be delivered and distributed to the consumers over these good roads by the use of trucks. That is being done to-day at less cost for transportation than was paid to the railways for similar service.

Many lines of autobusses have been installed in various sections of the country and are now in operation. The service is being extended, because it has been found satisfactory as to comfort and convenience, and in cost it can compete with that of the railways.

The military aspect of the situation is one which I do not think should be overlooked. Countries like France, with their systems of good roads, in their war experiences found them absolutely essential for the movement of their troops and their supplies. Even in the United States during the Great War, with our few State roads not connected up into State highways, it was found possible to transport automobiles, machinery, and other war supplies from manufacturing centers, such as Detroit, Cleveland, and Buffalo, to the seaboard for loading; and to-day, if necessity should arise, the fact that those roads have since been connected up into through roads would prove of inestimable value in the handling of supplies to the seaboard.

As to the large centers, the big cities contribute willingly their proportion of taxes for the purposes of public roads, although not one penny of the appropriations is permitted to be used in the building of city streets. Why do they do that? It is because they want the highways to be made passable so that they may receive their daily needs of food and other supplies, that they may come to them regularly, and that they may not have to be entirely dependent upon railway transportation. It means to them the purchase of supplies at minimum costs. Then, too, they have their own products of manufacture which they desire to distribute to the markets which they supply, and they find with the development of the automobile truck that their produce may be largely handled and their merchandise distributed through the use of autotrucks over the improved highways, which was impossible of accomplishment before the highways were graded and properly surfaced.

All manufacturing centers throughout the United States have benefited through the development of the automobile industry, now one of the leading industries of the country. That development is not at all or by any means limited to the production of passenger vehicles. It is growing more and more important in the production of motor trucks and in the making of machinery for farming purposes. Tractors are coming into general use, together with other motor-driven vehicles on the farms of our country, thus reducing the costs in agriculture. The construction of all forms of motor-driven machinery has largely increased the demands for steel and all classes of supplies which go into the make-up of automobiles, tractors, and trucks.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. PHIPPS. I yield.

Mr. COPELAND. The Senator would not contend, I am sure, that we would be justified, under the Constitution, in expending money for roads in order to improve the automobile service and improve the manufacturing conditions relating to

motor cars and the development of steel for that purpose. We are only permitted to build post roads.

Mr. PHIPPS. If that were the only purpose, I would say no; but that is not the only purpose, as the Senator may see as I proceed in my statement.

No one State in the Union would have constructed the mileage of highways now in use within its borders without the incentive of Federal aid. Even the great Empire State of New York would not have expended, out of its own funds, anything like a half the amount of money that has been expended so far in the construction of the highways within its limits. What may be said of New York may equally well be said of any other of the populous States.

The automobile industry could not have developed as it has except for the movement for good roads, which has already given us a number of interstate routes. The demand to-day is for connecting up these routes into transcontinental highways, and while the direct benefits of such a program may be more noticeable in a territory that is sparsely settled, the indirect benefits are indeed much greater in the areas of large population.

Mr. President, the fact that the legislatures of many of the States meet only once in two years, and further that the raising of funds for public roads by the States involves the issuance of bonds, makes it necessary for the States to know in advance what the policy of the Federal Government will be with reference to the continuance of aid to the States for their highway construction. For these reasons it appears necessary for the Congress to make authorizations somewhat in advance of the actual requirements for appropriations. The bill now under consideration proposes to authorize for the ensuing two years. Assuming the enactment of the bill, the State legislatures which are now meeting will know how they may formulate their plans for bond issues or other character of financing necessary to carry on their programs of good-road construction.

In my own State hundreds of thousands of automobiles come from adjoining States and pass through Colorado during not only the summer season, but the early spring and late fall months of the year. Almost every State in the Union is represented in the tourist traffic. The people to-day are asking that the roads be connected up so that one may take his family in his own car and, if he so desires, motor from the Atlantic to the Pacific.

Mr. McKELLAR. Mr. President—

Mr. PHIPPS. I yield to the Senator from Tennessee.

Mr. McKELLAR. Following out the view which the Senator has just expressed I saw in the newspaper the other day a statement that the amount of money spent in the State of New Hampshire by automobile tourists was \$266,000,000 in one year. I do not vouch for that statement, but I saw it in the newspaper. I saw in the same paper a statement that 234,000 cars bearing tags of other States went into the State of Florida in a year. If good roads have brought about any such condition of affairs or anything approaching such a condition of affairs, manifestly it is a great thing for our country and it means the building up of our country. I indorse what the Senator is saying in reference to the use of through roads by automobile traffic.

Mr. REED of Pennsylvania. Mr. President, will the Senator from Colorado permit me to ask the Senator from Tennessee a question?

Mr. PHIPPS. I am perfectly willing to yield for that purpose.

Mr. REED of Pennsylvania. If our doctrine of limitation of State sovereignty is to be cast aside because we want to promote automobile traffic, does not the Senator from Tennessee think the United States ought to run hotels all over the United States?

Mr. McKELLAR. Quite the contrary. As the Senator well understands, we have a direct, express, and specific authority in the Constitution of the United States for the building of post roads. Every road that is being improved by the National Government is a post road. In improving those roads we are directly within the express terms of the Constitution and no question of State rights therefore arises. The Senator can not deny that we have employed the authority under the post-roads clause of the Constitution to build these roads or to aid in their building, and therefore there can be no question of State rights involved.

When it comes to the question of hotels that is a totally different proposition. We have no authority under the Constitution to build hotels, and therefore, much as I respect his judgment and his learning, for I do respect both, I must differ with him in that regard.

Mr. REED of Pennsylvania. I do not differ with the Senator on that point. Of course, if it were not for the post-road clause of the Constitution this bill, if enacted into law, would be hopelessly unconstitutional and we would not need to debate it. The question is as to the propriety and the wisdom of the Federal Government helping the States to do those things which the States ought to do for themselves.

Mr. McKELLAR. If the Senator from Colorado will permit me further, I will say in reply to the Senator from Pennsylvania that I do not concede that it is the single duty of the States. I think it is a joint duty. I think those who wrote the Constitution intended that it should be a joint duty. I do not believe it will ever be done until it is carried out as a joint duty, and that is the reason why I differ with the Senator about that feature.

Mr. FESS. Mr. President—

Mr. PHIPPS. I yield to the Senator from Ohio.

Mr. FESS. Some days ago a colloquy arose on the policy of the Government in the building of roads, and I inadvertently referred to the hit-and-miss plan upon which we were proceeding. I have a communication from the Chief of the Bureau of Public Roads which, I think, ought to be made a part of the Record, and I should like to read it at this time, if the Senator from Colorado will permit me to do so.

Mr. PHIPPS. I would prefer to conclude the remarks which I have to make and then the Senator may take the floor in his own time. I have about finished what I have to say on the subject this morning.

Mr. FESS. Very well.

Mr. ODDIE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Nevada?

Mr. PHIPPS. I yield.

Mr. ODDIE. I would like to ask the Senator from Colorado if he does not think the question of national defense and military preparedness is a very important one to consider in referring to and studying the question of good roads, and if the opening up of a fine system of highways across and throughout the country from east to west and north to south is not a very important matter in that connection?

Mr. PHIPPS. I believe it is. I have reason to believe to-day, in fact I am quite sure, that our War Department is testing out the uses of the roads in practice marches of various classes of troops, including Cavalry, in the transportation of material, and so forth, so that they may know with what expedition they can count upon forwarding supplies and transferring them from point to point in case of necessity or in the event of emergency.

Mr. ODDIE. In regard to the possible breaking down of the railroad system in an emergency, would not these national highways be of very great benefit to our Government?

Mr. PHIPPS. In the Great War, when we entered it in 1917 and continuing on into 1918, without any breakdown of the railways, any physical failure, but by reason of lack of capacity, it was absolutely essential for the War Department and the Navy Department to use such highways as we had for getting war supplies from point of manufacture to the seaboard for transportation across the Atlantic to the front. It is most important. I believe that the country should have a coordinated system of through highways—national roads connecting up from the Atlantic to the Pacific and from the Great Lakes to the Gulf.

Mr. President, reverting to the remark that was made by the Senator from Tennessee [Mr. McKELLAR]—and I am sorry I did not have the opportunity to reply at the moment—I wish to say that had New Hampshire continued her former method of toll roads which was in effect in 1904 and up to at least 1907, instead of having \$266,000,000 coming into her coffers from tourist traffic, she would have done well to have had \$2,500,000. In 1907, I think it was, in going over what was then conceded to be one of the most desirable automobile tours in the United States—the Ideal Tour, I believe it was called—we passed through New Hampshire over poor roads, and among the poorest we found were those on which tolls were exacted, and which detracted very much from the pleasure of the trip. The hotels, the general stores, and all of the industries of New Hampshire benefit from the fact that she has to-day passable highways that have been built at least in part by Federal aid.

Mr. COPELAND. Mr. President—

The PRESIDING OFFICER (Mr. HARRISON in the chair). Does the Senator from Colorado yield to the Senator from New York?

Mr. PHIPPS. Certainly.

Mr. COPELAND. I have not any doubt at all that money, no matter what it is for, will build good roads, but I would be glad to have the Senator state to us how we can lawfully use the money of the country, the Federal money, to build automobile roads? We might as well talk about buying automobiles or buying tires for automobiles as to talk about building roads simply for the convenience and comfort of our citizens.

Mr. PHIPPS. I think that is the first time I have heard anyone challenge the legality of Federal aid for public highways.

Mr. McKELLAR. It is plainly provided for in the Constitution.

Mr. PHIPPS. I do not care to debate the question. It may be a legal question, and I am not an attorney. But I say to the Senator from New York that in my humble opinion the State of New York has reaped greater benefits and larger returns from the money she has thus far contributed to the good roads movement than she has from any other investment she has made in the last 20 years.

Mr. COPELAND. I do not doubt the truth of that statement. I do not doubt it at all; but I desire to say, and I want to amplify it if I have the opportunity later, that under the power given by the Constitution I do not believe we can build anything except post roads—roads which are essential to the carrying of the mails. I believe when we take Federal money to build roads, to make them comfortable for travel through Colorado or New Hampshire or my own State of New York, or to build military roads, that we are entirely outside of the Constitution. The reason why I ask the Senator the question is because I want him to show me how I can vote for the pending bill and maintain my conscience unimpaired.

Mr. PHIPPS. I am glad to have the admission of the Senator from New York that the money which the State of New York has invested with its share of Federal aid has been a good investment. We have no difference on that score. We are in accord there. I have said I did not care to debate the legal phases of the proposition; but I do say to the Senator that, in my opinion, no road has been authorized on which Federal money could be expended that was not intended to be used—indeed, that is not to-day being used—for the transportation and handling of mail in the service of the United States.

The Senator would not say if we shall need a post road built that such road should only admit vehicles belonging to the Postal Service to pass over it and should shut off general traffic; that we should say "do not let anyone go joy riding, do not allow merchants to send their trucks loaded with their products over these roads because they are post roads." That is a position which I know the Senator does not assume for a moment.

Mr. COPELAND. I would not.

Mr. SIMMONS. Mr. President, will the Senator from Colorado yield to me?

Mr. PHIPPS. I yield to the Senator from North Carolina.

Mr. SIMMONS. If the Senator from Colorado will pardon me, he has stated that he is not a lawyer and therefore is not equipped to answer the inquiry of the Senator from New York [Mr. COPELAND].

I wish to say to the Senator from New York that this is the first time, as I recall, when the constitutionality of this legislation has been challenged. I have repeatedly heard the argument that it was violative of the principle of State rights, but that is not a constitutional objection; that is an objection that goes to the question of how one feels with reference to the question of the division of Federal and State power. There can be no question of the constitutionality of this measure. It is clearly within the provision of the Constitution authorizing the Government to establish post roads; it is clearly within the provision of the Constitution for the mobilization of our military forces in time of war; and it is clearly within the provision of the interstate commerce clause of the Constitution.

There is not a road to which the Government under this act will make a contribution which is not in essence an interstate road. As the Senator very well said, there is not a single mile of road which will be built or that can be built under the provisions of this measure that will not be used by the Government as a postal road.

However, Mr. President, take the great trunk lines about which the Senator has spoken, which traverse and cross and run up and down the continent. Those roads pass through a number of States. They are not State roads. If roads be purely State roads, then the Government does not contribute to their construction. It contributes only where roads in some way or other interlink with and become a part of interstate systems. Therefore, being interstate systems of highways, they are, for

the purpose of regulation, if it ever comes to that point, if it ever becomes necessary, as much within the control of the Federal Government as our railroads that run from State to State are within such jurisdiction. If it ever shall transpire, as I stated the other day I believed it would transpire, when these great trunk highways are completed and become avenues of intercourse, commercial and social, between the various sections of the country, that we shall see not only the individual automobile but the individual truck going from State to State along these roads and shall see the long-distance busses and long-distance trucks crossing many States upon regular schedules—if that time shall arrive and Congress in its judgment shall feel that it is necessary to establish regular rates, then, I take it, those roads will become as much subject to regulation under the interstate commerce clause of the Constitution as are the railroads.

Mr. KING. Mr. President, will the Senator from Colorado yield to me in order that I may ask a question?

Mr. PHIPPS. I yield to the Senator from Utah for that purpose.

Mr. KING. The Senator from North Carolina [Mr. SIMMONS] certainly does not mean to contend that the power to regulate interstate commerce, whether as related to railroads or to busses which may travel upon any State road, gives to Congress the right to appropriate money out of the Treasury of the United States to build either railroads or any other kind of roads?

Mr. SIMMONS. I was not putting it upon that ground, but I was putting it upon the ground that such roads are performing an interstate service, and that it is only roads that perform interstate service to which this act applies, either directly or indirectly.

Mr. KING. I might state to the Senator, if I may be pardoned, that, if I understand the facts, I think there are many roads which have received very large contributions from the Federal Government under the so-called good roads plan which are used for automobiles for pleasure, for commercial purposes, but not at all for post roads for carrying the mails. As a matter of fact, we all know that many of these roads parallel the railroads, and that the railroads carry the mails.

Mr. SIMMONS. Oh, Mr. President, the Senator from Utah is wrong in saying that these roads parallel the railroads. There are a number, it is true, which do, but—

Mr. KING. The Senator must not misquote me. I said they parallel the railroads in many instances.

Mr. SIMMONS. Yes; but there are no roads which as a whole parallel the railroads. There are some of them that run along parallel and in very close proximity to the railroads for a short distance, but they then diverge, and they are used now and are necessarily used for the purpose of transmitting in the rural sections packages sent through the mails. There is now no community in the country that is not served with such mail facilities. The Government contributes to the building of these roads under the direction of Congress. This fund is not distributed by the department here at its will; it is not allocated according to the judgment of any particular department of the Government; but it is allocated according to the judgment of Congress which is declared in the act. It may be that it has happened that some roads that have been built were not strictly within the purview of the law, but if that has been so, then they were built outside and independently of and as a result of a misconstruction of the law. They were roads not authorized under the law, and we are not responsible for a violation or an incorrect interpretation of the law by an agency of the Government.

Mr. PHIPPS. Mr. President, I desire to thank the Senator for his contribution. In stating that I did not care to discuss the legal point raised by the Senator from New York, I said that the statement had previously been made by the Senator from Tennessee in colloquy here with the Senator from Pennsylvania that it was clearly within our constitutional rights to construct post roads.

As to their use when they are constructed, it is not necessary to limit them to that one use. In my own State automobile busses cover a distance north and south of about 250-odd miles; they run on regular schedules, and they are regulated by the public-service commission of the State. Incidentally, they carry the mails, or a portion of the mails. In California, I understand, automobiles run all of the way from San Diego to San Francisco, and they have routes extending northerly. It is only the fact that we have through routes on hard-surfaced roads that enables us to handle the passenger and much of the freight traffic of this country to-day. The use of trucks for the transportation of merchandise is becoming essential; that service is absolutely necessary, and for short hauls it has

been demonstrated that they can and do complete with the railroads and furnish more dependable and more convenient service.

Mr. President, I do not care to continue the discussion at this time unless some Senator desires to ask me a question.

Mr. COPELAND. Mr. President, I was very much interested the other day when the Senator from Ohio [Mr. Fess] said, "The Government must be looked upon as an entity."

I know how eloquent the Senator is and have heard him speak upon the growth and development of our country; I have no doubt he has frequently quoted Gladstone, who said of the United States Constitution:

It is the most wonderful work ever struck off at a given time by the brain and purpose of man.

But I do think in what the Senator from Ohio said the other day he rewrote the Constitution. I want to ask what there was about our Constitution that made it "the most wonderful work ever struck off at a given time by the brain and purpose of man"? In that connection, I wish to read a paragraph from Pierson's work, *Our Changing Constitution*, and, if I may say so in all my modesty and kindness, I believe that this little book on occasion might be read with profit by Senators. I have seen a copy of it from time to time upon the desk of the Senator from Florida [Mr. FLETCHER], and I know that he has been a student of this book, from which I wish to read this paragraph:

Wherein, then, did the novelty and greatness of the Constitution lie? Its novelty lay in the duality of the form of government which it created—a nation dealing directly with its citizens and yet composed of sovereign States—and in its system of checks and balances. The world has seen confederations of states. It was familiar with nations subdivided into provinces or other administrative units. It had known experiments in pure democracy. The constitutional scheme was none of these. It was something new, and its novel features were relied upon as a protection from the evils which had developed under the other plans.

The greatness of the Constitution lay in its nice adjustment of the powers of government, notably the division of power which it effected between the National Government and the States. The powers conferred on the National Government were clearly set forth. All were of a strictly national character. They covered the field of foreign relations, interstate and foreign commerce, fiscal and monetary system, post offices and post roads, patents and copyrights, and jurisdiction over certain specified crimes. All other power were reserved to the States or the people. In other words, the theory was (to quote Bryce's *The American Commonwealth*) "local government for local affairs; general government for general affairs only."

To me that means that local taxes should be used for local purposes and that the local demands should be satisfied by taxes raised locally.

There is one other reference in this little book which I wish to quote, because conditions are so different now and in such marked contrast to the fears existing at the time of the framing of the Constitution that the States might be interfered with. So I quote the following:

The makers of the Constitution represented the people of distinct and independent States, jealous of their rights and of each other but, nevertheless, impelled by experience of danger lately past and sense of other perils impending to substitute for their loose and ill-working confederation a more effective union. The most formidable obstacle, apart from mutual jealousies, was a fear of loss of liberties, State and individual, through encroachment of the central power. The instrument, drawn with this fear uppermost, was designed to limit the National Government to "the irreducible minimum of functions absolutely needed for the national welfare."

The quotation is from Bryce.

To this end the powers granted were specifically enumerated. All other powers were by express enactment "reserved to the States respectively, or to the people."

Now we find the Senator from Ohio coming to us and proposing, with other disciples of the Hamiltonian school, that the State lines should be wiped out and that the Government should be considered as an entity.

It may be out of place for the Senator from New York to discuss a constitutional question, but I want to ask Senators to go back to the foundation upon which we now appropriate money for post roads and consider how we came to do it.

I hold in my hand the debates in the Federal Convention of 1787, as reported by Madison.

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Does the Senator from New York yield to the Senator from Tennessee?

Mr. COPELAND. I yield to the Senator.

Mr. McKELLAR. So far as the constitutional provisions the Senator is reading from are concerned, I think we are all in accord with those. The Senator says that the line of demarcation is the express grant of power in the Constitution. Here is an express grant of power. It expressly gives the Congress power to deal with post roads and interstate commerce.

This question has all been passed upon by our courts. It was passed upon in the legislation by which national aid was extended to the railroads of our country. The same question that the Senator is now propounding arose then. The Government granted national aid to our railroads, both on the ground that they were carriers of interstate commerce and on the ground that they were postal carriers; and that legislation has been upheld. It has been acquiesced in for over 50 years, and most of it for over 75 years.

I take it that so far as authority is concerned the authority of the National Government to act can not reasonably be doubted. It is a question of policy; and so, when it comes to the question of policy, it seems to me that there can be no doubt about the policy of the proposed appropriation, not only in the States where we have not the best of roads, but in the Senator's own State.

For instance, just take the Ideal Tour that the Senator from Colorado [Mr. PHIPPS] was talking about a while ago. It runs through the New England States. Where does it begin? It begins in the Senator's State and in the Senator's city.

Mr. COPELAND. It goes past the Senator's house.

Mr. McKELLAR. As the Senator says, it goes past the Senator's house. It is true that New York State does contribute the larger portion of the taxes that are expended under a bill of this kind. We all know that; we all admit that; but as a matter of fact I have no doubt in my mind that the State of New York gets the largest advantage from the expenditure of the money. All roads lead to New York—not only the railroads, but these interstate highways that are being improved. New York, in the end, will be one of the greatest if not the greatest beneficiary of any State in the Union. Those things adjust themselves. The natural course of business tends toward New York; and the Senator, instead of being opposed to the bill because his State in the first instance pays the larger part of the taxes, ought to be in favor of it, in my judgment.

Mr. COPELAND. Mr. President, I do not care to have the Senator from Tennessee quite so confident as to what I am going to do about my ultimate vote.

Mr. McKELLAR. I simply assume from the Senator's argument that if he votes as he talks he is going to vote against the bill.

Mr. COPELAND. I can not agree with my friend from Tennessee that because my State would benefit from this transaction it is necessarily a proper use of public funds. I might go and rob a bank, and I would benefit personally by the money I got out of the bank, but the transaction would not be a legal one.

Mr. McKELLAR. The Senator would not do that, however, nor would any other Senator.

Mr. COPELAND. No. I hope the Senator will not rob his country, either, if I can convince him that this is an improper act; but, of course, that is merely a facetious remark.

Mr. SIMMONS. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from North Carolina?

Mr. COPELAND. I do.

Mr. SIMMONS. Does the Senator think that in the years since we entered upon this project of Government aid, the Congress of the United States has been continuously and persistently and habitually violating the Constitution? Does not the Senator believe that that question has been very thoroughly thrashed out, and that the Senate and the House and the President of the United States would not likely have given their assent to the many appropriations we have heretofore made if the project were as clearly unconstitutional as he thinks it is? If we are going to rob the Government in the future, does the Senator think we have not been robbing the Government for the last 10 years? Does the Senator wish to characterize the action of Congress in appropriating this money biennially for the last 10 years as robbery of the Government?

Mr. COPELAND. Mr. President, I think the Senator missed the comment I made a moment ago that the remark to which he refers was facetious, as the Record will show.

Mr. SIMMONS. I did not hear the Senator say that he was speaking facetiously. I rather suspected that he was, but I do not remember that I heard him say it.

Mr. COPELAND. Of course, I would not criticize any Senator for his vote in the past; but I want to say to the Senator from North Carolina that while I want to vote for

this measure, and hope I may, I shall have to be convinced for myself that it can be done with propriety. I am not asking anybody else to be influenced by my action.

Mr. SIMMONS. The Senator is exactly right about that. If the Senator has doubts about the matter, I think it is very well that he should invite discussion of it; but I understood the Senator to be rather dogmatic in his expression of opinion that it was unconstitutional, and amounted practically to robbery of the Government.

Mr. COPELAND. I thought the Senator a moment ago accepted the statement that that was facetious.

Mr. SIMMONS. I do accept it, Mr. President.

Mr. COPELAND. Very well.

Now, Mr. President, I want to call the attention of the Senate to the session of the constitutional convention held on Thursday, August 16, 1787, as reported by Mr. Madison. The particular section of the Constitution which provides for the establishment of post offices and post roads—section 8 of Article I—was under discussion, and the question before the convention was on the proposition to establish post offices. It did not say a word about post roads. The proposition was to establish post offices. Mr. Gerry moved to add "and post roads." Mr. Mercer seconded the motion, and it was carried by a vote of 6 to 5, a very close vote. Massachusetts, Delaware, Maryland, Virginia, South Carolina, and Georgia voted "aye"; New Hampshire, Connecticut, New Jersey, Pennsylvania, and North Carolina voted "no." I suppose that had New York been present there would have been a tie vote.

That was on the 16th of August, 1787. The matter was up again on the 14th of September, when Doctor Franklin moved to add, after the words "post roads," Article I, section 8, these words:

A power to provide for cutting canals where deemed necessary.

Of course, we then had a condition to deal with which was entirely different from the present condition, because there were no railroads. The only way in which the mails could be carried was by the post roads which were established; and I take it that the reason why in modern times the railroads have been included in this proposal was because, in the evolution of things, the railroads naturally would carry the mails. Doctor Franklin thought, however, that canals should be included, and Mr. Wilson seconded the motion.

Mr. Sherman objected, on the ground that—

The expense in such cases will fall on the United States and the benefit accrue to the places where the canals may be cut.

That is exactly the question we have up now. The objection is raised that the benefit of these roads is largely local, that it does not accrue to the entire country, and that was the objection raised by Mr. Sherman at that time.

Then Mr. Wilson suggested that—

Instead of being an expense to the United States they (the canals) may be made a source of revenue.

Mr. Madison suggested an enlargement of the motion into a power "to grant charters of incorporation where the interests of the United States might require and the legislative provisions of individual States may be incompetent." His primary object was, however, to secure an easy communication between the States which the free intercourse now to be opened seemed to call for. The political obstacles being removed, a removal of the natural ones as far as possible ought to follow.

Mr. Randolph seconded the motion; and there was some question about whether the bank, over which there was so much dispute, might not be covered by such a proposal.

Colonel Mason was for limiting the power to the single case of canals. He was afraid of monopolies of every sort, which he did not think were by any means already implied by the Constitution, as supposed by Mr. Wilson.

The motion being so modified as to admit a distinct question specifying and limited to the case of canals—

Was defeated by a vote of 8 to 3. Pennsylvania, Virginia, and Georgia voted "yes," and all the other States voted against it.

Exactly the same question was up at that time; and I have very serious doubt myself whether we are justified under the Constitution in voting money in this way.

I recognize the necessity of good roads. The only way in which I can justify myself at all, as a Senator from the State of New York, in voting for this proposal, or any part of it, is that by the building of these roads the handling of the farmers' crops may be facilitated, and in all probability the cost of the essentials and necessities of life in our State and

in the city of New York may be lessened. In that way there may be moral justification for this act.

But, Mr. President, we have been in session now a long time, and we have had before us a dozen agricultural bills. Why has not the party in control done something to relieve agriculture? The appropriation of large sums of money is proposed in good-roads legislation, and the argument made for it is because it will benefit agriculture. Why are we not voting those sums of money to benefit agriculture directly by the passage of some of the measures pending before us, or one of them at least, and making possible the incorporation of these cooperative organizations which are demanded by the agricultural interests, demanded by the President's commission, and demanded by the President himself?

It seems to me that is a very strange thing, Mr. President—and I regret that there are not more Senators on the other side of the Chamber present to hear it—that no effort is being made by the Republican Party, so far as the Congress is concerned, to give relief to the agricultural sections of the country.

If there were a proposition here to assist agriculture, to make it possible to go on with these cooperative organizations, to make possible some substantial benefits to agriculture, I should be very glad to have Congress make any necessary appropriations for the purpose, and I believe my State would approve such a course. Here, however, we have a proposal to go on with the building of good roads, and it means that lateral roads and roads going into remote sections are going to be benefited. The original idea of the writers of the Constitution certainly has been overridden, and we are going entirely aside and away from the original intention, which was to build post-roads in order that the mail might be carried between the States.

But, Mr. President, I do not want to give any wrong impression as to my intention. I hope that the amendment proposed by the Senator from Pennsylvania may be accepted, because that amendment provides for a smaller appropriation this year—\$60,000,000 this year, and \$50,000,000 next year—and it contemplates the appropriation of fewer millions in years to come. In the meantime the States will have been warned that these appropriations are not to be continued, and they will be making local provisions and local arrangements to take care of their roads.

I want to make clear that my city and my State are anxious to serve the agricultural and rural sections of the country. If this is the way they want to be served, if this is the height of their ambition, let us pass this bill, but, as I see it, agricultural and rural sections will be benefited in a much larger degree if some permanent agricultural policy may be developed, and the necessary appropriations made to carry that policy into effect.

Mr. BRUCE. Mr. President, the President of the United States has made a great many sensible and judicious observations in the course of his messages to Congress, but personally I do not think that he ever made a more sensible or judicious one than that made by him in one of his recent messages with respect to Federal aid in support of State objects. In that message he said:

I am convinced that the broadening of this field of activity—

That is to say, Federal activity in the field of State administration—

is detrimental both to Federal and State Governments. Efficiency of Federal operations is impaired as their scope is unduly enlarged. Efficiency of State governments is impaired as they relinquish and turn over to the Federal Government responsibilities which are rightfully theirs. I am opposed to any expansion of these subsidies. My conviction is they can be curtailed with benefit to both the Federal and State Governments.

In other words, this system of Federal aid has resulted to no small extent in the hypertrophy of Federal authority and in the atrophy of State authority, and it is largely because my views accord with the views of the President that I propose to support the amendment offered by the Senator from Pennsylvania [Mr. REED].

I think that the time has come when all of us should ask ourselves, as the Senator from New York [Mr. WADSWORTH] suggested yesterday, how far this system of Federal subsidy is to go. I think that we should all also ask ourselves, as the Senator from Pennsylvania [Mr. REED] has suggested, whether the time has not come when Federal aid in the matter of State roads, if extended at all, should not be extended in a diminished degree, perhaps in a degree that should lessen from year to year, and in process of time cease.

I think that there are many circumstances, as has been said by the Senator from Ohio [Mr. Fess], under which the country, in the matter of Federal appropriations, should be treated as a unit. Under ordinary circumstances it would not do for the sovereign States of the Union to enter into a scramble with each other as to how much or how little they were to contribute for the public benefit where national objects were involved. Usually each State of the Union should be glad, in proportion to the extent to which it has been endowed by fortune with its blessings, to contribute to the general good. That is elemental; that is fundamental.

Only a year or so ago, my State, realizing that it was not exactly just, in the face of special conditions, to rest its road appropriations for southern Maryland upon its ordinary quota, was so generous as, in addition to the usual appropriations for the construction of roads in southern Maryland, to add the extraordinary sum of a million dollars, and I have always thought that it was a rather ungenerous and short-sighted policy when Virginia came to adopt her present project of good roads that her people in the more favored parts, the more prosperous, the wealthier parts of the State, should not have been just a little more willing than they were to assume their full share of burdens intended to promote the local interests of the less favored, the less fortunate, the less wealthy parts of the State. As a general principle, however, in political relations, as in all others, contributions to common objects should be given in exact proportion, as far as possible, to the ability to give. That is a sound principle, which, as a rule, ought to run not only through individual conduct but through all national, collective, corporate conduct as well.

The State that I have the honor, in part, to represent is no such State as New York. It can not be said that it contains any such great emporium of commerce, any such cosmopolitan metropolis as the city of New York. It is no overflowing cornucopia. No golden streams pour from every portion of the United States into its coffers. For their prosperity its people have been largely dependent upon their own domestic exertions. Therefore, it would be impossible, it seems to me, for anyone justly to assign to the State of Maryland any peculiar degree of selfishness were she to contend that this burden of Federal aid rests upon her more unequally than it should. But the fact that it does rest upon her unequally can not be denied. She pays a large amount of taxes of one description or another into the Federal Treasury, and she receives back in the form of State aid only 2.77 per cent of the amount. It is also a fact that the expenses of the Federal Government imposed upon her people constitute a per capita tax burden four times as heavy as that which the expenses of her own State government impose upon her.

When it is recollected that the State of Nevada receives in the form of Federal aid 116 per cent of the taxes that she pays into the Federal Treasury, and that other States of the Union are in very much the same situation, abstractly speaking, it certainly seems to be a little unfair, indeed, quite unjust, that the Federal Government should regurgitate, so to speak, in the form of Federal aid, such a small percentage of the taxes that we paid to it during the last fiscal year as 2.77 per cent.

I might add, in this connection, that some of the Members of this body who are opposed to the amendment of the Senator from Pennsylvania [Mr. REED] appear to have lost sight of the very small percentages of return made by the Federal Government to their States of the Federal taxes paid by them. If I understand it, the Senator from North Carolina [Mr. SIMMONS] is antagonistic to the pending amendment; at least, I draw the inference from what he has said that he is.

Mr. SIMMONS. Does the Senator mean that I am antagonistic to the amendment proposing to reduce that amount provided by the Government from seventy-five million to sixty million?

Mr. BRUCE. Yes; or to any such reduction, as I understand it, or to any change in the system of Federal aid.

Mr. SIMMONS. The Senator is correct.

Mr. BRUCE. The State of North Carolina, in the Federal fiscal year ending in 1924, paid into the Federal fisc in taxes the enormous sum of \$157,973,393, and it received back in the form of Federal aid only 1.18 per cent of this sum.

Mr. SIMMONS. Mr. President—

The PRESIDING OFFICER (Mr. HARRIS in the chair). Does the Senator from Maryland yield to the Senator from North Carolina?

Mr. BRUCE. I yield.

Mr. SIMMONS. The Senator is correct. North Carolina pays into the Federal Treasury annually a very large sum of

money. Last year it paid, as the Senator has stated, in round numbers, the sum of \$158,000,000. In some recent years it has paid even a larger amount than that, and I dare say the Senator is correct in stating that for one fiscal year the State of North Carolina received by way of contribution from the Federal Government for road construction in that State not very much over a million dollars. What were the figures the Senator gave?

Mr. BRUCE. One and eighteen one-hundredths per cent.

Mr. FLETCHER. One million eight hundred and seventy-three thousand dollars.

Mr. BRUCE. That was for the fiscal year ending in 1924.

Mr. SIMMONS. About a million and three-quarters, in round numbers, is what we received in North Carolina. I wish to call the attention of the Senator, however, to the fact that the State of North Carolina has received, up to this time, out of the money appropriated by the Federal Government for road construction, \$12,294,000, less \$1,221,000 which has been allocated but not yet used by the State.

That is as much as any State in the Union has received, with the exception of seven States. Seven of the great industrial and commercial States of the country have received more of this money than the State of North Carolina. The State of North Carolina is receiving about in the proportion that it pays taxes to the Federal Government. It pays more taxes to the Federal Government, possibly, than about seven other States and receives more money from Federal Government in aid of roads than all of the States except those seven.

Mr. BRUCE. That is, of course, because of the extraordinary scale of magnitude upon which the State of North Carolina is making State appropriations for the construction of roads.

Mr. SIMMONS. No; it is because the State of North Carolina is making extensive developments, just as a number of other States in the country are doing.

Mr. BRUCE. But not on the same scale.

Mr. SIMMONS. It is making extensive construction in comparison with the seven States that got larger sums of money out of the Federal Treasury than North Carolina for this purpose. I want to say to the Senator from Maryland that I was entirely aware of this situation. I knew the State of North Carolina would only receive in proportion to other States from this money. I knew the amount would not be determined by the amount the State paid to the Federal Government. I knew it would be determined upon the mileage of construction in the State, upon the population, and so on.

Mr. BRUCE. And determined by the amount that the State itself appropriates from its State treasury.

Mr. SIMMONS. Yes; of course. Those are the three elements, and the element of the amount of money a State pays into the Federal Treasury does not enter into the problem at all. I knew of all those things. I knew that the State of North Carolina was paying this large sum. I knew the State of North Carolina, even under its progressive road-construction program, would not receive any very large contribution out of the \$75,000,000 to be divided among the 48 States. I knew that; but, knowing it, I supported the measure, and knowing it now I support the measure. Why? Not so much because my State gets that amount of money. If my State were the only State that got the money or were the only State that was so inspired and induced to construct good roads, I would vote against it.

Mr. BRUCE. Precisely.

Mr. SIMMONS. But if the Senator will permit me to develop this thought in answer to his suggestion—

Mr. BRUCE. Certainly.

Mr. SIMMONS. The State of North Carolina is deeply interested in the other States of the Union likewise constructing good roads. We are equally interested in being a part of the great trunk line highways that run up and down and across the continent and through my State. If my State should build good roads and the States bordering upon my State should not build good roads, we could not have those great interstate trunk lines. It is for the purpose of securing those great lines to traverse my State that I am so deeply interested, not because my State alone benefits so much by it, but because every other State benefits in the same way and to the extent that my State is encouraged to construct good roads the other States will be encouraged to construct good roads, and as the result of that general movement throughout the country there will pass through my State a system of highways from the East to the West and from the North to the South, highways that we could not possibly hope to have unless the other States like my State were engaged in the same general work.

Mr. BRUCE. I should think it fair to infer that the States adjacent to North Carolina are likely to respond to the same impulses of self-improvement.

Mr. SIMMONS. I want to encourage them to respond. I want to help them to respond.

Mr. BRUCE. That general extension of the good-roads system would result, though perhaps more slowly, even if the Federal Government did not contribute so liberally in aid of State roads.

Mr. SIMMONS. If the Senator will pardon me, I do not know how many of those trunk lines will pass through my State. I know that there will be at least three to pass through it from north to south, and I know there are at least two that will pass through it from east to west. Those roads will connect North Carolina by hard-surface roads with every State to the north of it, with every State to the south of it, and with every State to the west of it. The development of that system is of immense importance to every State in the Union.

It is of immense importance to my State. I believe that the intervention of the United States in the matter has done more than everything else put together to bring about the general system of road construction throughout the States that has now almost resulted in the complete construction of several great highways leading from the North to the South through my State and through every other State lying within the boundaries of the United States.

Mr. BRUCE. I should think that the Senator from North Carolina would have to enter upon a very nice calculation indeed to satisfy himself that the collateral advantages of which he speaks would be sufficient to offset the fact that while his State paid in taxes to the Federal Treasury in the fiscal year ending in 1924 as much as \$157,973,393, it has paid back in Federal aid in one form or another only 1.18 per cent of that amount.

Mr. SIMMONS. I am utterly unable to follow the argument of the Senator from Maryland.

Mr. BRUCE. If the Senator will pardon me, it is impossible to pursue that line of inquiry to any further extent. The Senator is apparently satisfied, notwithstanding the extraordinary toll that is exacted from his State by the Federal Government in the form of taxes, that his State reaps the benefit of so many collateral advantages resulting generally from road building as to counterbalance the extraordinary contribution that it makes to the Federal Treasury in taxes.

Mr. SIMMONS. So far as my State is concerned, I think we probably would have built the roads even if the Government had not helped us, but I doubt whether other States would have done so. If the Government will help us, I am very glad that they should help us. I think that the basis upon which the money is distributed—that of population, of mileage, and of State construction—is a just basis. I can not for the life of me see how the amount the State pays into the Federal Treasury has anything to do with it.

Mr. BRUCE. I am glad to have the statement of the Senator that his State would probably have entered upon its great system of good roads even if it had never received a dollar of Federal aid.

Mr. SIMMONS. I think some other States perhaps would not have done so.

Mr. BRUCE. I think that perhaps a little more slowly all the other States that border on North Carolina will do the same thing. Virginia is certainly proceeding to do it. I do not know what the state of things in that respect is in South Carolina.

Mr. SIMMONS. Will the Senator let me say just another word in that connection? The Senator is correct. North Carolina is an exceptionally progressive State, and we are very proud of it.

Mr. BRUCE. Indeed it is, and I rejoice that such is the case. The fact is not only a source of pleasure to me as a native of the State that is coterminous with North Carolina on the north, but fills me with pride. North Carolina in recent years in the matter of industrial progress has furnished a beneficent example to every Southern State of what can be accomplished by the same measure of industry, energy, and farsighted sagacity.

Now, I desire to call the attention of the Senator from Virginia [Mr. SWANSON] to the fact that the percentage which that State gets back from the Federal Government in the form of Federal aid is most insignificant. During the fiscal year ending in 1924 the State of Virginia paid into the Federal Treasury in taxes of all kinds the sum of \$45,991,886 and got back only 3.47 per cent of that amount. The same meager percentages apply to numerous other States—California, for in-

stance, which gets in the form of Federal aid from the Government only 1.91 per cent of what she pays in taxes into the Federal Treasury; Connecticut, which gets only 1.45 per cent; Delaware, which gets only 3.51 per cent; Florida, which gets only 5.75 per cent; Illinois, which gets only 1.5 per cent; Indiana, which gets only 4.44 per cent; Massachusetts, which gets only 0.86 per cent; Michigan, which gets only 1.5 per cent; New Jersey, which gets only 0.98 per cent; New York, which gets only 0.58 per cent; Oregon, which gets back only 1.41 per cent; Pennsylvania, which gets back only 1.38 per cent; and so on. These figures are all taken from a table which was published last December in the Washington Post, and if there is no objection I would like to have it inserted in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table is as follows:

Proportion of Federal subsidies to United States taxes paid by each State

[From the Washington Post, December 28, 1924]

This table shows the amount of Federal taxes each State paid in the last fiscal year and the amount the State received in Federal aid.

State	Paid in Federal taxes	Received as State aid ¹	Per cent
Alabama.....	\$9,800,970	\$1,705,610	17.40
Arizona.....	2,131,288	995,331	42.00
Arkansas.....	6,536,635	1,361,459	20.82
California.....	129,026,453	2,475,800	1.91
Colorado.....	15,228,037	1,294,448	8.50
Connecticut.....	37,006,532	538,009	1.45
Delaware.....	10,805,101	379,330	3.51
Florida.....	15,819,827	910,084	5.75
Georgia.....	19,181,446	2,137,684	11.14
Idaho.....	1,976,084	905,827	45.08
Illinois.....	214,840,722	3,300,701	1.57
Indiana.....	45,767,607	2,034,555	4.44
Iowa.....	17,946,204	2,149,551	11.97
Kansas.....	20,735,282	2,036,124	9.81
Kentucky.....	28,574,614	1,562,612	5.57
Louisiana.....	20,427,382	1,099,011	5.37
Maine.....	13,945,902	704,496	5.05
Maryland.....	34,349,218	714,774	2.77
Massachusetts.....	138,681,654	1,196,042	.86
Michigan.....	221,380,005	2,339,480	1.05
Minnesota.....	31,586,633	2,157,830	6.83
Mississippi.....	4,949,236	1,428,199	28.55
Missouri.....	68,794,487	2,503,602	3.62
Montana.....	2,958,039	1,448,635	48.97
Nebraska.....	10,791,615	1,555,586	14.41
Nevada.....	761,499	885,759	116.31
New Hampshire.....	5,805,346	387,827	6.68
New Jersey.....	112,250,046	1,109,187	.98
New Mexico.....	1,131,323	1,119,086	98.91
New York.....	690,415,425	4,020,445	.58
North Carolina.....	157,973,393	1,873,893	1.18
North Dakota.....	1,282,838	1,142,382	89.05
Ohio.....	153,524,832	3,026,236	1.97
Oklahoma.....	13,520,536	1,813,931	13.41
Oregon.....	10,500,237	1,138,143	10.83
Pennsylvania.....	269,688,619	3,796,118	1.40
Rhode Island.....	20,230,353	371,864	1.38
South Carolina.....	8,938,278	1,178,110	13.18
South Dakota.....	1,951,248	1,175,515	60.24
Tennessee.....	18,633,646	1,754,211	9.41
Texas.....	36,863,758	4,448,314	12.06
Utah.....	4,087,186	816,876	19.98
Vermont.....	3,600,827	382,681	10.62
Virginia.....	45,991,886	1,599,270	3.47
Washington.....	19,006,008	1,111,060	5.84
West Virginia.....	19,895,467	917,127	4.60
Wisconsin.....	40,448,722	1,951,718	4.82
Wyoming.....	2,088,353	880,051	42.14

¹ These figures do not include small payments made under minor subsidy measures.

Mr. FLETCHER. Mr. President, the Senator is mistaken in quoting Oregon. Oregon's percentage is 10.83. The Senator probably intended to read Ohio.

Mr. BRUCE. The Senator is right. I should not have mentioned Oregon. I thank the Senator for the correction. The table, of course, speaks for itself.

Mr. SIMMONS. Large or small as those contributions are, every State gets out of the Public Treasury about 43 per cent of all the money it spends upon a Government-aided road. If it does not get much, it is because it is not spending much itself.

Mr. BRUCE. That is true.

Mr. SIMMONS. But the Government matches the State—not exactly matches in the proportion of 50-50, but it pays practically 43 per cent of the actual cost of all the roads that are constructed under this plan.

Mr. BRUCE. Now, of course, the percentages that I have mentioned are the total percentages that were paid out in all forms of Federal aid to the States by the Federal Government.

So surely, on its face at any rate, this system of Federal aid with respect to roads and other State objects produces most unequal consequences; that is unquestionable. If those results can be defended, they can be defended only upon the very highest grounds of public disinterestedness, generosity, and self-sacrifice on the part of the States inter se.

For the purposes of this discussion I am entirely willing to waive all inquiry as to whether it is just or unjust that the State of Maryland should be returned such a small percentage as 2.77 per cent of the taxes that she paid during the last fiscal year into the Federal Treasury. All that I am saying in respect to the pending amendment is that I think that the President is right when he says that the time has come to slow down in Federal aid to the States. As he alleges, the system is building up a vast organization of bureaucracy in the departments of the Federal Government, at the same time that it works the most lamentable enervation in the activities of the States. This hypertrophy of the Federal Government, this atrophy of the State governments, should be gradually brought to an end, and the old healthy, normal balance between the operations of the Federal Government and the operations of the State governments should be restored. Therefore I hope, and most earnestly hope, that in 1926 the Federal aid toward the construction of State roads will not be in excess of \$60,000,000, and that in 1927 it will not be in excess of \$50,000,000.

I have no doubt that until the system of gradual reduction contemplated by the President has worked out its complete results the people of Maryland will continue cheerfully, as they have heretofore done, to contribute toward the establishment of post roads throughout the country. However, my objection to the general system of Federal aid or subsidy is, as I have affirmed, fundamental. In my judgment it constitutes the stealthiest, the most insidious, the most perilous, the most effective invasion of State rights that has ever been known in the history of our country. A more skillful, a more ingenious method on the part of the Federal Government of robbing the States of the full measure of their State sovereignty could not be devised; in other words, this system of Federal aid is simply an indirect, oblique method of filching from the States the domestic powers that properly appertain to them.

What are the chief heads of Federal aid to the States? First, we have the Smith-Lever Act. I will not stop to dwell on that. Much can be said in its favor. That contemplates, of course, cooperative agricultural extension work between the Federal Government and the States.

Then we have the Federal aid road act, with which we have been dealing. Then we have the Chamberlain-Kahn venereal disease act. Why should the States call upon the Federal Government to aid them in the furtherance of the objects contemplated by that act?

Then we have the Smith-Hughes vocational education act, which looks to the joint promotion of vocational education in the wage-earning field by the Federal Government and the State governments. Why should the Federal Government trespass upon that State province, pray?

Then we have the industrial rehabilitation act, under which, through the joint efforts of the Federal Government and the State governments, persons who are injured in industrial occupations are to be rehabilitated. Why should the Federal authority intrude into that province, pray?

Then we have the most extreme violation of State sovereignty of all, as I conceive it—the Sheppard-Towner maternity and infancy welfare act. Why should the foot of the Federal Government be permitted to tread upon that State domain?

In all the different fields of appropriation involved in those six different acts the Federal Government is now making appropriations in conjunction with the States. Well might the Senator from New York [Mr. WADSWORTH] ask where is this process to stop?

In 1914 the whole amount of Federal-aid subsidies granted to the States was \$6,500,000. Since that time Federal aid under the six heads that I have specified has amounted in the aggregate to more than \$521,000,000. In other words, not only have we had Federal aid ramifying out into all these domestic provinces of State administration but with every passing year involving a larger and a larger tax burden.

Mr. President, as I see it, this system of Federal aid is in many respects a most demoralizing agency. It holds out to the States, so far as the surrender of their sovereignty is concerned, a lure as corrupting as the box of glistening jewels that Faust brings under the eye of Marguerite when he is tempting her virgin purity. Its solicitations are intended to induce the States with their own hands to despoil themselves

of the domestic jurisdiction and authority with which they were clothed by the framers of the Federal Constitution.

Never, perhaps, by any direct means could the Federal Government have persuaded the States practically to surrender to it control over maternity and infancy welfare, over the physical rehabilitation of the injured workmen, over the vocational education of the wage earner. It is only by the bribery that lurks in Federal aid to State activities that the Federal Government has succeeded in winning the States to the idea of divesting themselves of some of the most important, significant, and useful powers with which they are endowed under our constitutional forms.

In my judgment, the time has come for that sort of thing to terminate, and that fact is evidenced by the insistent spread of popular feeling which is creeping at the present time over the whole country and inspiring State after State to visit with its verdict of condemnation the proposed child labor amendment to the Federal Constitution. On every hand I see, God be praised, the recrudescence of the old sound ideas of State rights and State sovereignty, which were so precious in the eyes of our forefathers. A retroversion is going on that will sooner or later undo a vast amount of what has unhappily been done in the way of hamstringing State autonomy.

Like Samson when robbed of his omnipotent locks by Delilah, the people of the United States have permitted themselves to be deprived of a large portion of the State authority with which they were originally endowed. And it warms my heart to think that one of the influences that have been most potently at work to bring about this process of reversion to the old conception of State rights and State sovereignty is the disastrous results that have flowed from those most fatal, those most tragic, those most disastrous of all recent interferences with State sovereignty; that is to say, the eighteenth amendment to the Federal Constitution, and its whelp, the Volstead Act.

Not until the people of this country witnessed the utterly ineffectual efforts of the Government to enforce that unnatural constitutional mandate and that arbitrary statutory law, and realize how hopeless it is to adopt any constitutional provision or to enact any law that does not pay proper regard to varying local usages, customs, and manners, did they realize how priceless is the line of partition that was drawn by the authors of the Federal Constitution between the jurisdiction of the Federal Government and the jurisdiction of the States.

In my opinion, there is nothing in which the people of the United States are more interested to-day than the reestablishment of the ideas which formerly existed in this country with reference to our dual form of government. One of the greatest mistakes is to think of these ideas as peculiar to the South. They are not. I am sorry to say that no part of the country recently has drifted farther away from them than the South. Originally, the domestic rights of the States were held in fully as high estimation in New England and the Middle States as they were in the South. Henry Adams, in his history of the United States, expresses the opinion that until the sectional struggle sprang up over slavery an overwhelming majority of all the people of the United States were cordially wedded to the principle of State sovereignty. Then, of course, arose the sectional conflict, when the South used State sovereignty as a shield for its domestic protection in that conflict, with the result that State authority acquired no little opprobrium. That opprobrium, however, is passing away, and to-day we find the doctrine of local self-government nowhere more cherished than in the Middle and New England States.

So the Members of the Senate will see that I am not only in favor of the pending amendment on some secondary grounds, but because I deem it an initial step in the process by which I am certain that ultimately this Government of ours will be brought back in many important respects to its old, safe constitutional moorings.

Mr. FLETCHER. Mr. President, just a few words regarding this amendment.

It has been frankly stated by the author of the amendment, the junior Senator from Pennsylvania [Mr. REED], and it is admitted by the Senator from Maryland [Mr. BRUCE], that it is his wish that it shall be the initial step toward the final denial of all Federal aid in the construction of highways.

Mr. BRUCE. Mr. President, will the Senator permit me to interrupt him for just one moment? No; I do not mean that. The Federal Government has the undoubted power to establish post roads, and I do not quarrel with any direct, proper exercise by the Federal Government of the power to establish post roads. That is one of the objects to be subserved by the Federal power, just as much as any other object that falls within the domain of the power. I do object, however, to this system by which the Federal Government lures the State governments

into the surrender of that State sovereignty, and that is not all; by which it tempts the State governments often into most imprudent, improvident, and extravagant expenditures of State funds.

This Federal-aid system is like the old pretzel system. I presume the Senator is too temperate, perhaps, ever to have been familiar with it.

Mr. FLETCHER. I have heard of it.

Mr. BRUCE. Under that system, which prevailed in the old saloon, a man would come into the saloon, and the first thing that would greet his eye would be a lot of salted pretzels. When he ate the pretzels, of course he wanted to drink just twice as much as he did before he ate the pretzels. So the States, under the solicitation of this system of Federal aid, are tempted into expending far greater sums than they otherwise would expend.

Mr. FLETCHER. Mr. President, the Senator has already discussed the matter quite fully, and I want only a few minutes to give voice to the views that I have on this subject. I think I understand his position quite well.

In the first place, I disagree with the Senator's conception of the practical working out of the policy which we have adopted in regard to these highways. Up to 1916 we had done very little, so far as the Federal Government was concerned, in this field of activity. The act of 1916 was passed and this policy was adopted. I submit that it is not only working admirably, but I submit further that it has not unduly stimulated any State in the matter of constructing highways. On the contrary, there is no State, in my judgment, which has done all that it must do and concedes now that it is proper and right and wise for it to do in the way of building good roads.

In my judgment there is no factor which has contributed to the development of the various States and to the national wealth as the building of good roads has contributed. I do not wish to see a discontinuance of that system, which is working so admirably now and under which roads are being built throughout the country, enabling citizens from one portion of the country to go with comfort and pleasure to all other portions of the country. Instead of seeing that system discontinued I want to see it further expanded and extended.

It means something to be able to see, for instance, in the State of Washington, in the State of Oregon, in the State of California, in the State of Idaho, in the State of Montana, and other States, as we did last year when our committee was in that region in connection with the reforestation work, automobiles from Florida, from Georgia, from South Carolina, from Maine, and from all other portions of the country. It means the same thing down in Florida. There are in Florida to-day automobiles from Washington, from Minnesota, from Michigan, from Maine, even from California, and from all other portions of the country, including Canada. The people, through the use of those automobiles over these improved highways, are able to get acquainted with each other and cultivate good will and exchange their thoughts and ideas and cooperate in spirit and purpose through this facility for communication which otherwise they would not enjoy; and that ought to be continued.

I say we have accomplished a great deal since 1916, and we ought to continue to prosecute this great public activity along the same line. I can not see how we can for one moment support this idea of crippling this great work, of discontinuing it, of discouraging the States, hampering them, or refusing that proper cooperation that is desirable, that is back of this proposition. That is what it means, however. The Senator from Pennsylvania says that this is a proposal to reduce the appropriation for this purpose from \$75,000,000 to \$60,000,000 this year, and to reduce it next year still further, until ultimately no Federal aid whatever will be granted for the purpose of building good roads.

Mr. SMITH. Mr. President—

Mr. FLETCHER. I yield.

Mr. SMITH. I do not know that I shall take the opportunity to make any remarks on this question, but I have been interested to know what is the opinion of other Senators on this subject, and I can not go to a better source to get it than the Senator from Florida. What is his opinion of the effect of good roads, as we are now constructing them, upon the promotion and development of interstate commerce in this country, aside from post offices and post roads?

Mr. FLETCHER. I think the effect is marked and favorable. Commodities and produce from the farm are being moved to market by trucks on these roads, where otherwise they would rot in the fields or could scarcely be gotten to market at all.

Mr. SMITH. My reason for asking the question is that complaint has come before the Committee on Interstate Commerce that the revenues of the railroads, both as to freight and as to passengers, have been seriously impaired by the diversion of the traffic, both passenger and freight, to the local traffic on good roads.

Mr. FLETCHER. I have seen some statement of that kind, but, in my judgment, that is local to a great extent. In a general way the railroads have all the freight they can carry and all the passengers they can carry and render proper service now; and we need all the means of transportation that we can develop—not only good roads, but the waterways of the country as well.

Mr. SMITH. Mr. President, the point I wanted to make was this: If it be true that there has been a diversion of freight and passengers by virtue of this, the corollary to that is also true, that it would not be used if it were not more advantageous and in accordance with the desires of the people. Who would use one means of transportation for freight or passengers in preference to another if the one they neglected were superior to the other?

Mr. FLETCHER. Precisely; that is quite true.

Mr. KING. Mr. President—

Mr. FLETCHER. Will the Senator please excuse me? I will allow the interruption if he insists.

Mr. KING. No; I will not insist.

Mr. FLETCHER. We have gotten into a most abominable habit here. A Senator gets the floor to present his views, and he is interrupted right and left, and speeches are intertwined and interlaced, and we waste an enormous lot of time, it seems to me.

Without repeating myself, if Senators will allow me, I will conclude in about two minutes, and then any other Senator who wants to say anything can do so when he will have the right to the floor, and I will be in favor of his keeping it until he finishes, without interruption. We will get somewhere if we follow that course. But these constant interruptions, in my judgment, not only make for a waste of time, but they destroy all logical connection in the debate. I say that without finding fault with the Senator from South Carolina, because I value the contribution he has made to this subject by calling to mind a matter which I had not thought of dwelling upon at all. It is not necessary to dwell upon it. The Senator himself, by merely pointing out that situation, in my judgment, presents a strong argument in favor of the continuance of the construction of good roads in this country.

To show that the work has progressed satisfactorily, the total road mileage completed through Federal aid up to June 30, 1924, was 32,452 miles, and the work is going on splendidly. It is not a new policy. It is authorized expressly by the Constitution. It is in line with other things which the Government has been doing as well, and perhaps with less authority under the Constitution. For instance, the Government last year contributed \$145,000,000 in the way of State aid for various purposes. Among the other purposes was the support of agricultural colleges. Do Senators want to say we must discontinue that? Among other purposes was the support of the experiment stations of cooperative agricultural extension work, and aid for the construction of highways, \$63,375,000. For the National Guard, \$19,486,000.

The total contribution from the Federal Government in the way of State aid last year was about \$145,000,000, and that included such things, for instance, as, through the Agricultural Department, fighting white pine rust, European corn borer, and the gypsy and brown-tail moth. The Federal Government undertakes to cooperate with the States in the control and destruction of those pests. It is not proposed, I take it, that we discontinue those activities. Some of the matters mentioned may be somewhat questionable, but that is outside of this particular question now before us.

I am utterly opposed to any step that will diminish this aid and that will cause us to cease to engage properly in cooperation with the States of the country in this great enterprise of building highways, which means the development now taking place where good highways exist, and the civilizing influence and excellent enlightening effects upon the people.

The Senator from Maryland should not attempt to put the President of the United States in the position of opposing legislation of this kind by quoting from a message he delivered at some time, but which did not have reference to this particular question. I want to call attention to the President's message of December 6, 1923, where under the head of Highways and Forests, he said:

Highways and reforestation should continue to have the interest and support of the Government. Everyone is anxious for good highways. I have made a liberal proposal in the Budget for the continuing payment to the States by the Federal Government of its share for this necessary public improvement. No expenditure of public money contributes so much to the national wealth as for building good roads.

That is what the President said on this specific question, and I need not add anything to it. His Budget recommendation was for about \$80,000,000, I think. In the last fiscal year there were distributed about \$63,370,000, and that represented 43 per cent of the total Federal, State, and local funds expended for roads. The estimate in this year's Budget is \$80,000,000, or 73 per cent of the \$109,000,000 for Federal aid mentioned by the President in his Budget message.

I submit, Mr. President, that this amendment ought to be defeated, and that the bill should have our cordial support.

Mr. SMITH. Mr. President, I have wondered, during this debate, why some Senator has not called attention to the invention which has brought about this good-roads movement. The movement for good roads, as we now know them and as they are proposed to be constructed by the cooperation of State and National Governments, is not based upon the desire for good roads themselves, but upon the imperative necessity of getting roads that will get out of a modern invention the maximum return, the full and adequate expression of the power of that invention.

We had but one system of adequate, rapid, interstate communication, namely, the railroad, previous to the discovery of and the practical application of the internal-combustion engine. Not a man on this floor, not a citizen of the United States, would have questioned the right of the Federal Government to see that steam transportation was adequately provided for, because of its power to revolutionize, as it did revolutionize, the methods of communication between far-distant points. But it was of such a character that it could not become available for the individual, and to that extent was undemocratic.

It is not necessary for me to review the history of the building of our great transcontinental lines. Vast subsidies of land, empires, were given by the Government in order to bring about the completion of a system that would unite East and West. It made the opening of the West possible. It made the unification of the American continent possible.

As we have progressed in scientific discovery, we have a substitute for the railroad, which is the automobile, or the autotruck. Their full efficiency can not be gotten out of the ordinary roads as we knew them when horse-drawn vehicles were the vogue. They are built upon a quadrangle where the ordinary vehicle that is pulled could be put upon a triangle, like the fifth wheel in a buggy or a wagon. An uneven surface did not do the damage to the horse-drawn vehicle that it would do to one that is pushed, and therefore must be built upon a quadrangle. Any unevenness in the surface tends to destroy or impair the efficiency of the construction. Therefore, in order to get the greatest efficiency out of what we all recognize as being a marvelous substitute, locally now, at least, for train service, for steam service, you have to accommodate your road to it. Hence the good-road movement, the smooth surface, the hard surface.

It is more essential to the development of our country than ever the railroad was. It is more democratic. It has a greater effect upon a community. It has obliterated the isolation of farm life and country life. By virtue of its being contemporaneous with the radio and the telephone, it has made the inhabitants of the country as cosmopolitan and as much interested in the progress of the congested urban life as though they were there themselves.

It has also contributed to the development of out-of-the-way places, made it possible for communities to contribute their wealth to the great streams and arteries of wealth, as no other invention of modern times has done. It is stimulating and developing the commerce and the interchange of commerce in the country as the railroads or horse-drawn vehicles could never hope to do. It has reduced the importance of the element of time or the element of space, the two great barriers to the proper distribution and production of wealth.

I cannot understand how any man, realizing the fundamental activities which must be engaged in by all the people for the benefit of all, can stand on this floor and argue against the Government of the United States, with the commerce clause in the Constitution, with the post office and post roads provision, cooperating with the States in developing that system of transportation which makes possible the development of every out-of-the-way place on the American continent.

I call the attention of the Senator from Florida [Mr. FLETCHER] to the complaint which has come before the Committee on Interstate Commerce, that even here in the incipency of auto transportation the railroads are complaining that we are granting Government aid to their competitors and granting no Government aid to the railroads. I will not stop to discuss whether or not we are granting aid to the railroads. I think it could be proven that we are, perhaps, in a larger degree than to the good-roads movement; but that has nothing to do with your and my duty, which is to furnish every facility for the development of the resources of this country within our power. It is not an infraction of State rights. It is giving the power to a State to demonstrate its right to develop and express itself beyond its borders, as well as within its borders.

No invention of modern times has exceeded in public value the invention of the internal-combustion engine. It has brought within the scope of the individual the power to have his own freight train and his own passenger train. It has gone far toward solving the vexed problem of our dependence upon steam transportation, with its monopolistic and imperialistic power. It is contended that there may be a few roads which have been constructed by Government aid that are not post roads, but there is not a good road in the United States that is not a direct contributor to the commercial development of this country.

These good roads are just as essential for the efficient use of modern power, the autotruck and the automobile, as railroad ties and steel rails are to accommodate the steam engine. We are not building good roads because we want the smooth surface alone, but we are building them because we can not get full efficiency out of the machine without accommodating ourselves to the machine. It is an economic question. We are building up good roads in order that we may get the most out of this modern application of the internal-combustion engine.

I do not approve the idea of standing here and saying that we will not contribute the Federal Government's share for the development of that system which in less than a decade has revolutionized the life of every community, brought within the province of exploitation places into which it was not possible to build a railroad on account of the extravagant cost. We can build a good road into such places and put a modern method of transportation in there and grant those people the same contact with the markets and the society of the world as though a railroad ran there.

It is not a question of localizing the system within a State. It is interstate in its very nature. It is not a question of South Carolina building a system of good roads without an understanding with North Carolina, her sister State, nothing but an imaginary line dividing the two, and where we might incidentally or accidentally build a road that would not accommodate itself to a like system of transportation in North Carolina. But by cooperating with North Carolina we can get a system of interstate communication that answers all the purposes of intrastate communication. Likewise as North Carolina touches Virginia and Virginia touches the District of Columbia, so stretching on across the common country are the States, each maintaining its State rights and developing that system that brings us together in elbow touch. That is the work to which every one of us should commit himself and foster with all the power within reach.

I do not believe that we would be wise in appropriating more money than we can wisely expend in the proper laying out of this marvelous means of modern advancement and communication, but we have an organization to take care of the Government's side and we have the State good roads commissions, which are supposed to have the welfare of their respective States at heart. They know how far they can levy the taxes without too great a burden. We know just to what extent we can go here. Working jointly, where is the limit in this country to our development with this modern means of rapid transit and communication, more comfortable, more educational than the system which it is rapidly supplanting, that of steam transportation?

I have sat here and listened to the debates and to Senators taking the view that it is a proposition to build a buggy road or a wagon road or a forest trail. It is a marvelous revelation through the inventive genius of man of what may be done in annihilating time and space and giving the country at large and the States a means of rapid communication both of person and of property. It is our duty to develop it. It is not a question of State rights. It is a question of national development all along the line, the logic of which is the promotion of every interest, religious, social, political, and commercial, and

we have no other way of doing it except by the elbow touch of communication. Genius has indicated the lines along which we shall move, and it behooves us to follow those who were endowed with the divine power of discovering the intent of Providence in relation to man.

CARRYING ANTITOXIN TO NOME BY RELAY TEAMS

Mr. DILL. Mr. President, this is a road bill which the Senate is now considering, and I think that without leaving the subject entirely I might discuss for a few moments certain events in that part of the United States which has no roads and to which the bill does not apply. In other words, I want to speak for a few minutes about the means of transportation used in far-away Alaska in the past few days. I want to speak of that classic, heroic dog-team relay that carried antitoxin for the suffering, dying people of the little city of Nome away out there on the coast of the Bering Sea.

It was a week ago last Monday that the news came that there were four deaths and 20 cases of diphtheria in Nome, and that the only antitoxin in the town had been there from four to six years and therefore was not worth anything in caring for those people. Then there arose the question of how the antitoxin that was needed could be gotten to Nome. Because of the ice-bound Bering Sea it is impossible to reach the harbor at this time of the year. It was first proposed that the antitoxin be carried by airplane. Nome is a thousand miles from Anchorage down on the southwestern coast of Alaska, from where the antitoxin was to be sent. But it was found that there were only three usable airplanes in Alaska, that they were in winter storage, and the aviators had gone to the States. There was one other airplane in Alaska, but the engine had not been in use for some time and it was believed to be very dangerous to undertake to use it without its being repaired. So it was finally decided that they might take 300,000 units of antitoxin from the railroad hospital at Anchorage and send it overland by dog teams. They could take it about half way by the railroad that runs from Anchorage to Fairbanks. They did not take it all of the distance to Fairbanks, but stopped at Dunbar, about 40 miles this side of Fairbanks. There it was met by one of the dog teams and in relays carried across the country.

RIGORS OF THE TRIP

We who live in a climate such as we have in the States can not possibly realize what that trip meant. It is a trip of 650 miles, which, made regularly by the mail teams, takes from 25 to 30 days. By the use of relay teams they covered the distance in five and one-half days. It is an accomplishment that will be talked about in Alaska not only through this winter, but for many years to come. The heroic deeds of those men and dogs have caught the imagination of the entire world and are worthy of a mighty pen and eloquent tongue, and will be celebrated in story and in song long after the participants are dead and gone.

I want to call particular attention to one or two things in connection with this method of transportation. The teams are made up ordinarily of 9 to 11 dogs. They travel from 6 to 7 miles an hour under ordinary conditions. When it was announced that they would take the antitoxin by relay teams, every noted dog driver in the entire country along the routes over the mountains and down the Yukon River to the seacoast, and then along the coast to Nome, volunteered his services, and the very best drivers and teams were chosen. They made some really remarkable records. I shall not attempt to trace the trip, nor to give the details; first, because I am not sufficiently familiar with them, and secondly, because it would take too much time; but it is interesting to know that between the relays, running from 30 to 40 miles each, there was only 10 to 15 minutes of delay, the driver of every team immediately taking charge of the antitoxin and driving on to the next station.

REMARKABLE RECORD

The Indian natives of the country volunteered their services to make possible the quick relays on the trip, because the people in that section of Alaska have again and again been stricken with this dread disease. So as the drivers and dogs went along on the trip, these Indians helped in every way they could. There are two or three speed records that are really worth mentioning. The relay from Ruby to Whiskey Creek, 28 miles, was made in three and one-half hours. The most remarkable relay was from Nulato to Kaltag, where they made 36 miles in three and one-half hours, which is a little better than 10 miles an hour. They made the entire distance from Tanana to Kaltag, 280 miles, in 37 hours, by these relay teams. These are truly remarkable records for this time of year.

I want to remind Senators of another thing. The newspapers mentioned the names of the great dog-team drivers who have won the relay races, Seppala, and particularly Kasson, but those records I have just mentioned were made by unknown Indian dog drivers with teams of mongrel dogs. Of course, the last part of the trip was more exciting and the traveling was the more fierce, because of the terrific gales that swept across the Bering Sea and the coast. But we should always remember that the rapid and successful carrying of this antitoxin to Nome was due as much to the unknown drivers and the unknown dogs fighting their way through the blizzards over the lonely, dead ice desert, each doing his part to make the final victory possible, and that they deserve equal credit with those whose names came through in the news dispatches.

THROUGH DARKNESS, COLD, AND GALES

When the teams which carried the antitoxin over the mountains and down the river to the Bering coast reached that point they struck the most difficult part of the trip. It was 30° below zero, the gales blew 40 miles an hour, and this is the time of the year in Alaska when the country is wrapped in darkness. Their daylight period is from 10 to 2 o'clock and is a period of misty light. They made the trip through the darkness, the drivers most of the time being unable to see anything at all and least of all the trail. They had to trust to the dogs, which seemed to have an almost supernatural power of finding their way along the trail. The trip of Seppala was something like 100 miles, much of it across the country where there is not a single habitation through all the distance. With his dog team of 20 or 21 dogs he made a wonderful record, the crossing of Norton Sound being the most spectacular and the most notable part of the trip. His dogs are the Siberian dogs, smaller than the ordinary malamute dogs used on the first part of the trip. They have the peculiar faculty of starting at an ordinary rate of speed and as they go along they get faster and faster until they attain a speed of 8 or 9 miles an hour. They are said in this case to have speeded up beyond anything known in the travel of Alaskan dog teams. They seem to have had a sort of supernatural knowledge that they must get through to the coast in the face of the storm which was driving against them.

TRIBUTE TO BALTO

When the relay reached Bluff it was taken by Kasson with his team of Siberian dogs. He was to have been relayed at a place called Safety. The storm, however, was terrible, and he did not stop at Safety, but went on through and made the trip of 55 miles. His description of the trip, as written in the newspaper, reads like a romance. I shall not attempt to give it all, but I wish to read just two or three statements from it. According to the United Press, he said:

I left Bluff, 53 miles east of Nome, at 10 p. m. Sunday. The thermometer stood at 30 below, and a gale was blowing from the northwest. I couldn't see the trail. Many times I couldn't even see my dogs, so blinding was the gale. I gave Balto, my lead dog, his head and trusted to him. He never once faltered. It was Balto who led the way—the credit is his.

This black Siberian dog, through the darkness and storm, crossed this icy desert and kept the trail when no human being could possibly have found his way. I wish to read a commentary on this feat by one of the editors of the Hearst newspapers, because, while many editors have attempted to do justice to this trip, I think he has come nearest to doing so. Speaking of the journey, he said:

Nothing finer has been done by heroism on any battle field than this relay race across this wind-swept, ice-locked desert of the Arctic. If anything, this heroism of the distant North is better than that of battle, for there was no thrill in the doing of it, no wild intoxication, no mass delirium which makes the hazard seem a holiday.

All alone these brave drivers and brave dogs accepted the challenges of the tempest and the plague—and won.

Six hundred and fifty miles they struggled through the storm, blowing 70 miles an hour—650 miles with the thermometer 40 below zero.

There was not even daylight to relieve the loneliness of it, for at this season that region is wrapped in night. Only between 10 in the morning and 2 in the afternoon a pale gray light filters through—a light so dim that the driver can not see his leading dog.

And after this brief twilight, blackness comes—and with it all the desolation of a dead world.

Such was the pitiless stage of this great drama of Alaska—this drama of man and dog—or dog and man—for in the fine democracy of nature all are equal if their worth be equal.

The savage wind cut them, the stinging, flying ice numbed them, the cold cut clear to the bone. They were clad in ice—dogs and drivers—but they kept straight on toward Nome, for children were dying there for want of the medicine they bore—and every minute meant a life.

They are a dauntless lot—these mushers and their dogs—who find their way where there is neither sign nor star—and they are a gallant lot as well.

For instance Seppala, four-time winner of the all-Alaska sweepstakes, first won the prize from Scotty Allan, till then the peerless driver of the northland, and then Seppala named his leading dog "Scotty," in honor of his vanquished rival.

There are thoroughbreds up yonder in the long, bitter darkness. Consider another gallant fellow—

When, half frozen, Gunnar Kasson, the driver of the final relay into Nome, was given coffee and half thawed out, his first words were words of praise for his leader "Balto."

Then the editor quoted this statement from Kasson:

I do not believe any dog other than my leader, Balto, could have brought the sled with the antitoxin through such a night of storm as we, my 13 dogs and myself, passed through last night.

I could not see the trail or any markings myself, and it was only through Balto's leadership that we arrived when we did.

SHOULD NEVER BE NECESSARY AGAIN

Senators, I tell this story because I want it in the RECORD, and because I want to remind the Senate and the bureau that has charge of the Health Service that we should see to it that never again in the future will a great ice-locked northern port be left in the fall with no antitoxin except that which is from four to six years old.

The 300,000 units of antitoxin that were carried there are only sufficient for 20 or 30 people. It has been decided to send 1,200,000 more units of antitoxin and 200 Shick tests from Seattle. It is hoped to be able to send those by airplane, and probably in the future they will always be able to transport such necessary medical supplies by airplane.

The classic victory of these dogs and men will probably be the last of its kind, and it is certainly a fitting finish to the long history of brilliant achievement made by dog teams in the far north.

While I am speaking on the subject of the work that dogs have done with men and for men, I wish to insert in the RECORD two tributes to the dog which have been paid by men to the faithfulness of dogs in temperate climes, living under conditions with which we are familiar. I desire to submit them as a part of my remarks, the one being the well-known tribute to the dog by former Senator Vest, of Missouri, and the other being the editorial written by former President Harding concerning the dog that died when he was editing his newspaper at Marion.

The PRESIDING OFFICER (Mr. BINGHAM in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

SENATOR VEST'S TRIBUTE TO A DOG

"Gentlemen of the jury, the best friend a man has in the world may turn against him and become his enemy. His son or daughter that he has reared with loving care may prove ungrateful. Those who are nearest and dearest to us, those whom we trust with our happiness and good name, may become traitors to their faith. The money that a man has he may lose. It flies away from him perhaps when he needs it most. A man's reputation may be sacrificed in a moment of ill-considered action. The people who are prone to fall on their knees to do us honor when success is with us may be the first to throw the stone of malice when failure settles its clouds upon our heads.

"The one absolutely unselfish friend that a man can have in this selfish world, the one that never deserts him, the one that never proves ungrateful or treacherous, is his dog. He will sleep on the cold ground where the wintry winds blow and the snow drives fiercely if only he may be near his master's side. He will kiss the hand that has no food to offer. He will lick the wounds and sores that come in encounter with the roughness of the world. He guards the sleep of his pauper master as if he were a prince. When all other friends desert he remains. When riches take wings and reputation falls to pieces he is as constant in his love as the sun in its journey through the heaven. If fortune drives the master forth an outcast in the world, friendless and homeless, the faithful dog asks no higher privilege than that of accompanying him, to guard against danger, to fight his enemies.

"And when the last scene of all comes and death takes the master in its embrace and his body is laid away in the cold ground, no matter if all other friends pursue their way, there by his grave side will the noble dog be found, his head between his paws; his eyes sad, but opened to alert watchfulness, faithful and true even in death."

MR. HARDING'S MASTERPIECE

Back in the days when Warren G. Harding was merely the editor of the Marion Daily Star and only an ultraoptimistic few of his fellow townsmen expected him ever to become President of the United States, there was a little dog who loved this beetle-browed man above every other living thing. This was Hub, a Boston terrier.

One day last summer when the Republican presidential candidate had been complimented upon one of his best speeches he mentioned Hub, and said:

"The best thing I ever wrote was an obituary for my dog. I felt that, and anybody can write when he feels very strongly upon his subject. Some day I'll find a copy of that tribute to my dog and you'll agree with me that it was good."

Recently George Van Fleet, managing editor of the Marion Star and the sole boss while the owner is in Washington, found the obituary of Hub in the newspaper files and sent a copy to the White House. Here it is:

"Edgewood Hub in the register, a mark of his breeding; but to us just Hub, a little Boston terrier, whose sentient eye mirrored the fidelity and devotion of his loyal heart. The veterinary said he was poisoned; perhaps he was. His mute suffering suggested it. One is reluctant to believe that a human being who claims man's estate could be so hateful a coward as to ruthlessly torture and kill a trusting victim, made defenseless through his confidence in the human master, but there are such. One honest look from Hub's trusting eyes was worth a hundred lying greetings from such inhuman beings, though they wear the habiliments of men.

"Perhaps you wouldn't devote these lines to a dog. But Hub was a Star office visitor nearly every day of the six years in which he deepened attachment. He was a grateful and devoted dog, with a dozen lovable attributes, and it somehow voices the yearnings of broken companionship to pay his memory deserved tribute.

"It isn't orthodox to ascribe a soul to a dog. But Hub was loving and loyal, with the jealousy that tests its quality. He was reverent, patient, faithful; he was sympathetic, more than humanly so sometimes, for no lure could be devised to call him from the sick bed of mistress or master. He minded his own affairs, especially worthy of human emulation, and he would kill nor wound no living thing. He was modest and submissive where these were becoming, yet he assumed a guardianship of the home he sentinelled, until entry was properly vouched. He couldn't speak our language, but he could be, and was, eloquent with uttering eye and wagging tail, and the other expressions of knowing dogs. No, perhaps he had no soul, but in these things are the essence of soul and the spirit of lovable life.

"Whether the Creator planned it so or environment and human companionship have made it so, men may learn richly through the love and fidelity of a brave and devoted dog. Such loyalty might easily add luster to a crown of immortality."

FAITHFULNESS

Mr. DILL. Now, in conclusion, I wish to make one other observation. Somebody has said that if a man feeds a dog when he is cold and hungry, even though he be a cur, he will never bite that man, no matter how he may subsequently be treated by him. I think that is a quality that human beings, especially many politicians, might emulate. [Laughter.]

I am told that when it was desired to erect a statue in the French Palace of Justice in Paris to typify the faithfulness that a lawyer should practice in serving his client, they chose a dog faithful to his master. The dog is the companion of man in every clime on every part of earth, and his devotion to his master has always been as steadfast as the stars and as eternal as love.

Mr. FESS. Mr. President, our colleague from Washington, by his splendid talent, has put himself in the class with Jack London in *The Call of the Wild*. I think we have enjoyed his address on the dog as much as any of us enjoyed reading the famous book of Jack London.

ADDRESSES BY FORMER GOVERNOR FRANK O. LOWDEN

Mr. HARRIS. Mr. President, one of the ablest men who has been in public life in the United States is former Gov. Frank O. Lowden, of Illinois. He recently delivered two addresses in my State, one in Atlanta and one in Savannah, of such great interest to our people that I ask unanimous consent to have them printed in the RECORD. I also ask to have printed in the RECORD the remarks of Mrs. Walter D. Lamar in introducing Governor Lowden to his audience in Atlanta. Mrs. Lamar is one of the distinguished women of Georgia and the South. Her father was the Hon. James H. Blount, who for 20 years so ably represented in Congress the sixth district of Georgia.

The PRESIDING OFFICER (Mr. BINGHAM in the chair). Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

ADDRESS OF HON. FRANK O. LOWDEN, AT ATLANTA, GA.

Madam President and ladies of the United Daughters of the Confederacy, I thank you for this opportunity. When your gracious invitation came I was deeply moved and grateful—moved beyond words that you should thus honor me and grateful for the chance to tell of the gladness that fills my heart because of the fact that the last wraith of misunderstanding between the North and the South is laid, as I believe, forevermore.

It is a happiness, too, to be here under the auspices of the Daughters of the Confederacy. In war women always bear the hardest part. In battle the soldier is stimulated by the pomp and panoply that surround him, is heartened by his contact with his comrades, is sustained by the intense excitement which is inseparable from combat. The woman at home is altogether without these powerful influences. She, in her loneliness, with only her children about her, always bears the heaviest brunt of war. For woman, brave beyond man in enduring pain herself, suffers most of all when her loved ones are in pain or peril. The worst that can happen to a soldier fighting for his country is to sleep in a patriot's grave. It is those whom he leaves behind—a mother, it may be, or a wife or children—to whom our tenderest sympathy is due. It came very close to my heart, therefore, that you, the Daughters of the Confederacy, upon whose mothers the war laid the heaviest burdens, that it was you who bade me come.

I do not deem it appropriate to-night to go further into the causes of the Civil War than may be needed for a better understanding of some of the perils that beset us to-day.

The question of the right of a State to secede was not a new one. It had been asserted many times since the adoption of the Constitution. It was inevitable, I think, that this should be. The question is inherent in the very nature of the Constitution itself. For in that great instrument a new principle was introduced into government.

The United States of America are a federation. Unlike all earlier federations, however, the federation itself is clothed with powers to be exercised directly over certain designated subjects. It is, therefore, a federation and a Nation in one. The framers of the Constitution saw that all the federations of the past, usually formed for purposes of mutual defense, had fallen apart whenever their several members had come into conflict over internal affairs. They had seen the confederation of the Colonies torn by internal discord and sinking into impotence. When, therefore, they assembled in Independence Hall to frame a new Constitution, they were not content to frame a mere federation and nothing more. They adopted a new device in government and conferred upon the central Government jurisdiction to be exercised directly upon the citizens of the several States in those matters which were thought to be of common interest to all the States and which were necessary to enable the new Government to maintain itself. It was thus unavoidable that men should differ as to the power of the new Government. Those who by temperament regarded the integrity of the States as the important feature in the new Government were inclined to view with jealousy any large exercise of power directly by the central Government. They, upon the other hand, who looked to the national principle embodied in the Constitution as affording the largest hope for the future of our country were inclined to a liberal construction of the powers of the central Government. Those holding the former view easily deduced the doctrine that each State had the right to decide for itself, in a case where there was doubt, as to whether or not the General Government had exceeded its powers, and if it had, to refuse to yield obedience in that particular matter to the central Government. This is the doctrine embodied in the Kentucky and Virginia resolutions announced during the first decade under the new Government. A little later the famous Hartford convention was held. There the same doctrine was advanced, and although the convention in its formal report denied that it had any present intention to dissolve the Union, the right to do so lay in the background of its deliberations. Indeed, in its demands upon Congress for far-reaching amendments to the Constitution there was contained an implied threat of secession. The Kentucky and Virginia resolutions were adopted on the initiative of the then Republican Party, when the Federalists were in power, as a protest against some of the policies of that party. The Hartford convention of Federalists was held during the second war with England and while their old opponent, the Republican Party, was in power, as a protest against the policies which that party had adopted in the prosecution of the war and which were believed to be injurious to the interests of New England. Fortunately, before any action could be taken, peace with England had been declared and Jackson's great victory at New Orleans had greatly strengthened the national spirit. Thus we see the two great parties of the day, when the opposite party was in power, equally indulging in at least implied threats of secession.

This vital fundamental question continued to reappear in different forms throughout subsequent years and until it was finally settled by the arbitrament of arms.

The question was so vital, so far-reaching, so novel, without any precedent in all history to guide us, that it is difficult for us to see, looking calmly over the past, how it was possible to settle this

question in any other way. It was unfortunate for the South that events cast upon her the burden of bringing this mighty issue to the cruel test of war. It is conceivable that if the second war with England had lasted some years longer the New England States would have felt impelled to take the course that the States of the South later took.

The war was really waged over conflicting theories of government. There were inherent differences of opinion among honest men as to whether the central Federal Government safely could be clothed with power enough to maintain itself against the will of the States themselves without endangering the liberties of its far-flung citizenship. This was the real question involved in that heroic struggle. For three score years and ten the statesmen of America had attempted in vain to solve the problem. The resources of human statesmanship had been exhausted, and it was reserved to the armies of the North and the South to answer the question with their life's blood. The question was so large, involving as it did not only the future of America but all the future generations of men everywhere, that it need must be settled even at the awful cost of war.

It had been decreed that the answer to this portentous question should be yes, and when the war was over men everywhere could say that this great question had been settled forever by brave men, some wearing the blue and some the gray.

It was a distinguished son of the South, Gen. Stephen D. Lee, who said:

"Now, that 30 milestones of the years have been passed since the last life was offered up for the love of our country, the southern people, making no apologies for the past, since, as you generously recognize, they fought for the right as they saw it and did their duty as they understood it, do not regret that the great God, who holds the destiny of nations, settled the question of State sovereignty and slavery for our common and everlasting good."

Through war the dream of the founders of the Republic came true, and a mighty and united country had become a fact. This was equally, as I believe, to the benefit of both the South and the North. The Constitution extends its protecting influence over the remotest portion of our common country. A war between the States is no longer a thing to dread. There are other influences now at work, however, seeking to undermine the very foundations of the Constitution.

It is seriously proposed that the Congress of the United States shall be given power to overrule decisions of the Supreme Court declaring an act of Congress void. If that proposition is adopted, the Constitution, which was finally established at such an awful cost of treasure and blood, will have become of no more significance than an act of Congress, which may be repealed by a temporary majority in the following year. Those great enduring guaranties of the rights and liberties of the citizens which the Constitution contains will have been swept away and the States themselves will sink to the status of satrapies ruled from Washington. Congress, freed from the restraints contained in the Constitution and which can be given effect only by the Supreme Court, will legislate upon every variety of subject which hitherto has been regarded as of merely State concern. The war made this an "indissoluble union of indestructible States"—mind you, indestructible States. If this new proposal shall be given effect, the States, as independent entities in our Federal system, will have been destroyed by a single blow. For who can doubt that the Congress of the United States, in the exercise of its powers, if made the final judge of its own acts, will encroach upon those powers which hitherto have been exercised by the State until the State shall be shorn of those powers, one by one.

If this shall happen, the States as we know them will disappear. They will become but mere shadows of their former selves. They will finally be ruled from Washington, the seat of autocratic power. The "lost cause" is dear to the heart of every southerner. But though he lost his cause, he found a country greater than any of which he had dreamed. Now, if the proposition to substitute the will of Congress for the sacred guaranties of the Constitution shall prevail, it will indeed be a "lost cause" for which both North and South poured out their blood upon a hundred battle fields.

The principle established in the Civil War has gained steadily in the estimation of the students of government the whole world round. Two years ago two great Englishmen visited America—Lord Shaw, chief justice of England, and Lionel Curtis. Lord Shaw addressed the American Bar Association at San Francisco, and Lionel Curtis at about the same time addressed the Institute of Politics at Williamstown. These men both emphasized the Federal principle as America's greatest contribution to the science of government. Lord Shaw said:

"In this task of widening the range of law your great country has produced supremely great advocates. I sometimes think that the Federal idea, the idea which the genius of Hamilton and Washington combined to impress upon your people, under which State rights could be guaranteed and the Union kept secure, is on the eve of establishment on a world scale."

A generation ago it was suggested that it would be well for our country if all monuments keeping alive the memories of the Civil War were razed to the ground, so that future generations might forget that fratricidal strife. At the time the idea commended itself to many broad-minded Americans, both North and South, but in the light of these later years I think it would have been a grievous mistake. The bitterness engendered by the war has disappeared. Time, the great physician, has healed the wounds to the spirit inflicted by the war.

The monuments we are erecting North and South to our soldier dead no longer recall anything of the bitterness of the strife, but they do immortalize the sacrifices, the valor, the heroism of the American soldier, whether clothed in blue or gray. When I am told that the strategy of Stonewall Jackson was taught for years in the military schools of France in preparation for the greatest war the world has ever seen, pride swells within me that Stonewall Jackson was an American soldier, and I forget for the moment upon which side he fought. When the English military experts pronounced him the greatest soldier since Napoleon, I was glad that this great tribute had been paid to an American soldier, though south of Mason and Dixon's line. What we need is not fewer monuments, but we do need to feel both North and South that all of us have a part in all that was brave, fine, self-sacrificing, and great in the matchless deeds of the armies of both North and South. When I visit Richmond and gaze upon the statue of Robert E. Lee, that masterpiece of art, I like to think that the knightly figure there portrayed was a countryman of mine, and that I have a small part in the immortal fame that has come to him. And I know that no true son or daughter of the South ever passes the stately mausoleum on Riverside Drive in New York, where lie the ashes of Ulysses S. Grant, who would not think the great metropolis the poorer if that monument were destroyed by vandal hands.

Last fall I visited Stone Mountain and saw the beginning of the most stupendous memorial I think that man has ever dared. I thought, when I learned that this great monument had been initiated and inspired by the United Daughters of the Confederacy, that though it had not been so intended it was a noble monument, too, to their great organization. And when I looked upon the heroic figures then being sketched upon the side of that majestic granite peak a feeling of awe came over me, and I could not but think that when the pyramids have crumbled into dust, when all the monuments of the bygone ages erected by the hand of man have disappeared from earth, this great memorial will stand an immortal record of the great achievements of Americans.

When the war was over, the soldiers of the North formed themselves into the Grand Army of the Republic and the soldiers of the South into the United Confederate Veterans. Each of these organizations has rendered important service to their country in all the years that followed Appomattox. Around their several camp fires they have recalled deeds of valor and heroism and hardship and revived the stirring days of the war. They have given the tenderest care to the widowed and orphaned of their fallen comrades. They have exerted their great influence toward a better understanding between the two sections. For the brave are always generous, and it was the soldiers of the two sections who first extended the hand of friendship and fellowship across the chasm which had sundered the two. Though they could not know it, the opportunity for the greatest service of all they were to render their country did not come for more than a half century after the last shot was fired in the War between the States. Their ranks had been thinned until only shadows of the proud armies that had laid down their arms at Appomattox remained. And then the World War laid its claims upon American manhood. I was Governor of Illinois at the time and it was one of my duties to attempt to rouse our people to a full understanding of the significance of the mighty conflict. It was a difficult thing to accomplish. The war seemed to many to be so far away. It was not easy to bring home to the average mind the truth that there never was a war in our history which was so close to our hearthstones as that war across the sea. I soon learned that in my State it was the Grand Army of the Republic that responded first and most heartily to every patriotic appeal.

During this time I had occasion, too, to visit the South. And wherever I went I found the United Confederate Veterans performing a like service. They, too, were exhorting their sons and their grandsons to answer their country's call. I saw that they were employing the same language, the same lofty sentiments of patriotism, in their appeal as were their former foes of the North, now become comrades all.

A merciful God had preserved these veterans of the Civil War for more than 50 years. No longer capable of bearing arms themselves, they still could inspire and arouse the younger men to the supreme need of responding to their country's call.

Wherever there was a Grand Army post North or wherever there was a post of the United Confederate Veterans South that post was the center from out of which there radiated all the stimulating, patriotic influences in that community. These old veterans still held aloft in their trembling hands the torch of liberty to illumine the

pathway of duty and honor to those whose forbears had worn the blue and the gray.

All honor to the great-hearted, broad-minded men and women of both North and South who were the first to point the way to fraternal accord between the two sections. I shall have time to name but a few.

In the summer of 1885 Grant lay dying upon Mount McGregor. His last years had been saddened by the perfidy of a business associate. Up to the very end he was engaged in writing his memoirs, with the hope that the proceeds derived therefrom might save his widow and children from want. During his heroic struggle to live until he might complete his work the public's old interest in him and affection for him began to revive. Letters and messages poured in, and none so heartened him as the words of respect and sympathy which came from his old foes of the battle field. Just three weeks before the end he wrote a letter to his physician, asking him to keep it confidential until after his death. In this letter he said:

"As I have stated, I am thankful for the providential extension of my time to enable me to continue my work. I am further thankful, and in a much greater degree thankful, because it has enabled me to see for myself the happy harmony which has so suddenly sprung up between those engaged but a few short years ago in deadly conflict."

And no sincerer mourners followed the great captain to his tomb than the brave men from the South who had held him at bay for four long years.

And I would be recreant to my duty, speaking, as I am, upon Georgia soil, if I did not recall the great contribution to a better understanding made by that gifted son of this historic State, Henry W. Grady. His great speech in New York but four years after Grant's death, which he called "The New South," impressed the North as I think no other speech within my memory has impressed it. Let me quote for you a few of his inspired words:

"In my native town of Athens is a monument that crowns its central hills—a plain, white shaft. Deep cut into its shining side is a name dear to me above the names of men, that of a brave and simple man who died in brave and simple faith. Not for all the glories of New England—from Plymouth Rock all the way—would I exchange the heritage he left me in his soldier's death. To the foot of that shaft I shall send my children's children to reverence him who ennobled their name with his heroic blood. But, sir, speaking from the shadow of that memory, which I honor as I do nothing else on earth, I say that the cause in which he suffered and for which he gave his life was adjudged by higher and fuller wisdom than his or mine, and I am glad that the omniscient God held the balance of battle in His almighty hand, and that human slavery was swept forever from American soil—the American Union saved from the wreck of war."

"This message, Mr. President, comes to you from consecrated ground. Every foot of the soil about the city in which I live is sacred as a battle ground of the Republic. Every hill that invests it is hallowed to you by the blood of your brothers, who died for your victory, and doubly hallowed to us by the blood of those who died hopeless, but undaunted, in defeat—sacred soil to all of us, rich with memories that make us purer and stronger and better, silent but stanch witnesses in its red desolation of the matchless valor of American hearts and the deathless glory of American arms—speaking an eloquent witness in its white peace and prosperity to the indissoluble Union of American States and the imperishable brotherhood of the American people."

A little later, John B. Gordon, another son of Georgia, gallant soldier, statesman, gentleman, gave a lecture in different parts of the United States called "The last days of the Confederacy." It was a great lecture. The portraits he draws of Lee and Grant at Appomattox should be enshrined forever in the heart of every true American. The two men as he paints them were equally great, each in his own way, the one in victory and the other in defeat. No one can read General Gordon's story of that time without feeling that it was one of the climatic hours of history. There was no precedent for it in all the annals of time, and no one can read it without thinking, too, that Grant and Lee then and there, without knowing it, perhaps, were laying the foundations for the happy union that has come about between the North and the South.

I am proud of the fact that it was in Illinois that the first great reunion of the soldiers of the North and the South occurred. The time was Memorial Day in 1895, just 10 years after Grant's noble message from his deathbed to his brethren of the South. The occasion was the dedication of a monument which had been erected above the dust of Confederate dead in Oakwood Cemetery in Chicago. Thither had come Longstreet, Stephen D. Lee, Fitzhugh Lee, Wade Hampton, Heth, Butler, and Underwood from the South, to fraternize with their erstwhile adversaries of the North. Never since the war had the wearers of the blue and the gray in such large numbers met and mingled. They formed a great parade and marched to the cemetery. There in the presence of a vast concourse they united in paying final honors to the Confederate dead. It was my own old regiment—I

am proud to recall—the First Infantry of the Illinois National Guard, which, in final military tribute, fired volleys over the Confederate graves. It was an epochal event. It was fitting that this final rapprochement should happen upon Illinois soil. For was not Illinois the home of Lincoln?

And it was Lincoln who said, in his first inaugural address:

"I am loath to close. We are not enemies, but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection."

"The mystic chords of memory, stretching from every battlefield and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union when again touched, as surely they will be, by the better angels of our nature."

Those words were spoken with great solemnity three and three score years ago. They did not come true then as Lincoln fondly hoped and prayed. He was destined not to live to see the consummation of his dreams. His prophecy seemed for the time to have failed. In fact, it was only postponed. For now we have seen his prophetic utterance come true in every word and line. Passion has greatly strained, but it has not broken "our bonds of affection." The mystic chords of memory "are stretching from every battlefield and patriot grave." They issue from Chancellorsville and from Gettysburg and from a score of other battlefields consecrated by the blood of brave men, Americans all. They come from the graves of those who died beneath the Stars and Bars just as from the graves of those who fell beneath the Stars and Stripes. In very truth they go to "swell the chorus of the union" in ever increasing volume. And surely these "mystic chords" have been divinely "touched by the better angels of our nature" just as Lincoln hoped and prayed. We can now say, in all thankfulness to Almighty God, that Lincoln's noble vision at last is realized.

MRS. LAMAR'S INTRODUCTION

This is a great moment in the history of the Daughters of the Confederacy, it is a great moment in the history of the State of Illinois, it is a great moment in the history of the United States; and why? Because to-day the daughter of the Confederacy, standing deeply imbued with reverence for her forbears and the principles for which they offered their lives in the War between the States, with a sorrowful glance at the scorched fields back of her from Atlanta to the sea, is with loyalty to the Constitution seeking how she may best have a part in maintaining standards of the Nation against lawlessness and unrighteousness.

Behold her! A countenance that radiates love for her section and her country, a bearing that denotes pride in her heritage from Revolutionary as well as Confederate ancestry. In her left hand, clasped close to her heart, is the flag she loves, symbol of a Nation than which none ever rose more fair nor fell more pure—the Stars and Bars. In her right hand she holds aloft the flag of a reunited country, a flag that was once an enemy flag, but a flag that now protects her life and home, a flag under which her sons have three times since the sixties marched side by side with sons of men who wore the blue in that sorrowful strife between brothers—Old Glory, the Stars and Stripes.

OF INTEREST TO ILLINOIS

This is a great moment in the history of the State of Illinois, because her favorite son comes into the heart of the Southland to bring to the daughters of men against whom his fathers were once in battle arrayed a message of respect and appreciation of what the West and the South may be to each other and to the whole country in friendly combine against the only forces that can profit by a failure to know each other better. This is a great moment in the history of the United States, because only by being really united can our Nation go forward to the place in the sun toward which she is striving, the place of the Nation that must be the great factor in the world peace so devoutly to be wished. And that great something of which we sing "My country, 'tis of thee"; that beneficent oversoul to the body politic which we know as the "United States" must thrill with loving pride at every symptom of better understanding between the South and the not-south part of itself.

As sign and seal of the greatness of this moment and the fullness of its import, a daughter of a Confederate soldier presents to you a man who comes from the native State of the Federal general to whom the Confederate Army surrendered at Appomattox, the State of the man who, in the War between the States, remained on the side of the Union as its President, and the State that has through this distinguished guest given expression in no uncertain terms to the desire for friendly cooperation of all the mighty forces for good inherent in the citizens of North, South, East, and West.

AN ALL-AROUND AMERICAN

The public utterances of this man have proven him to be an all-around American, whose estimate of men has been from standards

of worth to the Republic, rather than from any regard for the part of the Union from which they come. I believe, too, he holds with dear old Corporal Tanner, of the Grand Army of the Republic, who asked permission to speak a few words to the Daughters of the Confederacy in convention assembled in Washington in 1912. Corporal Tanner said, in part: "I honor the sentiment which prompts you women to cherish your flag. It is akin to that sentiment which prompts the bereaved mother to go to the bottom drawer of the bureau, take out the little dead baby's shoes, kiss them, and weep over them." And then he added, as he limped from the platform, "I buried my leg in the Valley of the Shenandoah and I buried my animosity at Appomattox."

LEADS USEFUL LIFE

The speaker of the evening is a member of the legal profession, but he is an aristocrat who believes that he alone is entitled to be so called who serves his country to the best of his ability. By devotion to business he has become a man of wealth, but he values his position as a plutocrat only in so far as it fits him the better to serve his country. Although the Republican Party claims him, his broad views, his kindly attitude toward those who differ with him, make of him the best of Democrats.

Aristocrat, plutocrat, democrat! Words that have been distorted to mean sinister things in the world's history sometimes, but words which, rightly interpreted by lives of usefulness, stand for the greatest possible factors in the conception and promotion of all that we mean when we say "He is a true American."

It is, therefore, with pride and pleasure that I present to the United Daughters of the Confederacy, in convention assembled, a great constitutional lawyer, the best governor that Illinois ever had, the best man the Republican Party ever had in view for the presidency, a man that has that most lovable of all qualities, the ability to put himself in the other fellow's place. A man, high-minded, noble-hearted, cultured—the Hon. Frank O. Lowden, of Illinois.

ADDRESS OF HON. FRANK O. LOWDEN, AT SAVANNAH, GA.

When the Great War came to an end everyone recognized the fact that there must be a readjustment of values. It was assumed that prices generally would decline. It was supposed that the decline would affect all commodities with an approach at least to uniformity. That has not happened. Prices of farm products declined rapidly and beyond all proportion to the decline in prices of other commodities and have never regained their former relative position. Why is it that in every other period of depression there has been some degree of uniformity in the lowering of prices of commodities generally and not at this particular time? Why is it that at the time of the panic of 1873 and of 1893 prices of steel products and of farm implements and of manufactured goods generally declined substantially as much as did the prices of the products of the farm? And why is it that this period of depression we have gone through has been an exception in this respect? To answer these questions correctly requires that we should look into the conditions generally as they exist to-day and as they did exist during the former periods of depression. The chief difference, I think, between now and then is that during the last 30 years organization has been the dominant factor with labor and with every other industry except our own. When the depression of 1920 set in there was a large accumulation of goods of all kinds on hand; but industry, being highly organized, was able to resist more successfully than the farmer the pressure for lower prices.

This leads to the inquiry whether or not, in marketing farm products, the farmer has kept pace with the great changes going on everywhere in the modern business world. In all other industries there has been a growing tendency to stabilize prices. This has been effected largely through the organization of a few great corporations which have taken the place of innumerable smaller independent units scattered over the land. Not only are there fewer manufacturers relative to production, in every line, but they in turn are organized into a great national body which meets usually once a year and considers questions of world supply and demand and other subjects of common interest to the industries. These great companies are therefore able to plan the next year's campaign intelligently and to adjust their production to the probable demand. From time to time they fix the price upon their product, which remains until new conditions require a change. They no longer go ahead blindly running full capacity, putting their commodity upon the market at whatever price may be offered, for they have learned that in that way danger lies. In agriculture alone have the methods of marketing made no improvement, except as to the sale of those products which are now being marketed through cooperative commodity marketing associations. These associations have made remarkable progress during recent years. Indeed, while the farmer generally has retained his old methods, they have lost much of their original efficacy because of the tendency toward organization on the part of purchasers of his product. The number of sellers has constantly increased while the number of purchasers has as constantly decreased.

FARMERS MUST ORGANIZE

Agriculture, therefore, finds itself with its millions of members freely competing among themselves while it is obliged to sell its products in a highly organized industrial and commercial world. Now, if the farmers are to put themselves upon terms of equality with the great industries of the country they, too, must organize. It is not desirable that they should imitate the great industries, adopt the corporate form of organization, and operate their farms through corporate management. It would weaken our whole social structure if our millions of farmers were to surrender their individualism in this way. Nor is it necessary. While much improved efficiency in production is still possible, the farmers have made and are making constant progress in this respect. The problems which press hardest upon him to-day are concerned with the marketing at a price which will enable him to live and to go on producing his products. He must find some way to restore the proper relationship between the prices he receives for his products and the prices he pays for other commodities. The devotee of the laissez faire philosophy insists that in process of time, under the operation of economic laws alone, this relationship will be restored. Perhaps he is right. The last report of the Secretary of Agriculture states that during the last year 10 per cent of the farms in Michigan alone have been abandoned, and 13 per cent more only partially worked. Only the other day the county agent in one of the counties in Indiana told me that last year 320 farms in his county alone lay idle. Indeed, I think I may safely say that there is not an agricultural State in the country in which there are not at the present time fallow fields. As things stand this tendency will continue until farm production will fall so low that there will be a real scarcity of farm products and farm prices will rise to an even higher level than would be desirable. In the meantime, a large portion of the farm population will go bankrupt. Certainly this is not a pleasing prospect from the standpoint of either the producer or the consumer of farm products. If we would avoid this ruin I see but one way out. The farmer, too, must organize for the purpose of marketing his products. Commodity marketing associations are no longer an experiment. It is not necessary before this audience to enlarge upon this point.

Those who oppose the principle of cooperative marketing seem to think that in some sort of way the cooperative associations are seeking to avoid the operation of the law of supply and demand. Quite the reverse is true. Those who advocate this form of marketing are seeking only to create conditions by which the law will operate fairly as between the seller and the buyer of farm products. At present it does not. We are told by the economists that time and place are important factors in the market price. He, therefore, who selects the time and place for the sale of his product has a direct effect upon the price of that product. This the individual farmer can not do. As to the time, he usually must market whenever his product is harvested or otherwise ready for the market. As to place, he is limited practically to the nearest local market. Organized along commodity lines, his organization would have much to say as to both time and place. We are told also by the economists that the supply which operates in price change "does not mean the total stock of goods in existence but the quantity which sellers are willing and able to sell at the former price." Therefore he who exercises a substantial control upon the flow of the product to the market is an important factor in making the price. It is perfectly evident that the hundreds of thousands of individual producers each acting for himself are deprived of this advantage.

FOES OF FREE COMPETITION

The laws of supply and demand extending over a series of years in fixing what the political economists call the normal price still obtain. To fix the market price, however, fairly, that law is effective only "with free competition on both sides." Among the causes which defeat free competition, Hadley, formerly president of Yale University, in his "Work on Economics," places ignorance first. In other words, there must be equality of understanding on the part of buyers and sellers before this law can operate successfully.

Now, apply this to the farmer marketing his product. How can he possibly know as much about the many and complex factors which enter into the thing as the great, powerful organized buying corporations, including, during recent years, even governments themselves? If, however, he should enjoy equality of information with the buyer, he is not usually in a position to take advantage of his knowledge. In most instances he must market his field crops as soon as they are harvested. He, therefore, dumps his entire crop upon the market within a few weeks or months at the outside. The effect inevitably is to depress the price. It is not a sufficient answer to say that by the device of dealing in futures, as in the cereal and in the cotton markets, the effect of the dumping is altogether obviated. For though it may be shown that the price of the cash commodity months hence may be but little more than sufficient to cover the cost plus the carrying charges, it is quite likely that the cash price throughout the year would have been much higher if the market had not been unduly depressed by dumping at the beginning. In other words, it is altogether

probable that the market for the year never recovers from the jolt it receives by the marketing of almost the entire crop within a few weeks.

Of course, the law of supply and demand still holds. Like any other law, however, in the economic or the natural world it may be made to serve man, or, through ignorance, destroy him. The law of gravitation is of immense benefit to the farmer when rightly used. It enables him to drain his lands, makes it possible for him to distribute water cheaply from a tank throughout his house and barn. The same law, however, may destroy him if he carelessly leaves open a trap door into his hay mow and falls through it to the floor below. The purpose of cooperative marketing of farm products is not to defy the law of supply and demand but only to make that law serve the farmer.

THE SURPLUS BUGABOO

We have too long permitted the bugaboo of surplus to depress unduly the price of the great staple products of the farm. The world has been producing wheat for some thousands of years. Since the time of Pharaoh, however, there has never at any given time been a sufficient amount of wheat in existence to feed the world for more than a few months. Would we call mankind improvident if enough of wheat were always carried in storage to feed the world for a single year? If not, what shall we say of the system of marketing wheat by which a six months' supply is permitted to lower the price of that necessity of life below the cost to produce?

Two recent instances have come to me of the faulty way in which the present system works. Early in the summer I marketed some hogs at \$6.90 a hundred. A few days afterwards the same hogs were selling at \$9.50 a hundred. Now the law of supply and demand, I insist, was not working perfectly on both these days so far as hogs in Illinois were concerned. During August, the Government estimate increased the probable yield of cotton by 600,000 bales over its previous estimate, or less than 5 per cent. As a result, at the same time the price in the market declined \$30 a bale, or 20 per cent. In other words, the crop by the last estimate was worth less in the market by \$300,000,000 than the crop by the lesser estimate, and yet the world needs cotton as it has not needed it before in modern times.

Something is wrong with our methods of marketing when the aggregate money value of a larger crop of a prime necessity is smaller than the value of a smaller crop. There are untold thousands of men and women and children who need to clothe them more cotton than is produced in the world to-day. To say, therefore, that 12,400,000 bales of cotton are worth more to the world than 13,000,000 bales is to condemn a system of marketing which reveals such an absurdity.

GROWERS WAKING UP

Cotton growers of the South have begun to appreciate the situation. In each of the cotton-growing States they have effected an organization for the cooperative marketing of their cotton. These associations have already accomplished much for their members, though they market less than 15 per cent of all the cotton produced. Their membership is increasing. And when the time comes, as it surely will, if only the farmers of the South are alive to their own interests, when they shall market instead of less than 15 per cent 50 per cent or more of the crop, you may be sure that an increase of less than 5 per cent in a crop will not decrease the price received by 30 per cent.

A year ago corn was selling in many sections of the country, as I recall it, at about 40 cents a bushel. This was less than it cost under present conditions to produce it. It was said that the low price was the result of a surplus. Most farmers were compelled to sell even at a loss. The few men who were able to hold have received double that price. The old bogey of a surplus did not disturb them, for they knew that under the operation of the economic laws corn must some day bring in the market what it cost to produce it. For though farmers are long suffering as a rule, they will not indefinitely continue to produce at a continuous loss. Now, if the corn producers had been organized as other businesses are organized, they would have marketed their corn in an orderly way; they would have established a fair price for corn, marketed as much as possible, and waited for the turn which was inevitable before marketing the remainder. But, you say, what if this year there had been another bumper crop of corn. I reply that if it were ascertained that we were producing year by year any commodity in excess of the world's needs, and we were organized, we would at once take steps to curtail production, just as every other organized industry does. One of the ablest authorities on farm conditions, not only in America but throughout the world, Eugene H. Grubb, believes that we are cultivating too much land in America. He thinks that we should permit 25 per cent of our tilled fields to go back into pasture. It is certain that we are exhausting the fertility of our farms at a rapid rate. If all branches of agriculture were organized it would be possible to reduce cultivation to this extent. The so-called surpluses, which are really after all but a small percentage of the total crop produced, would disappear. The 75 per cent of land then cultivated would, I believe, produce in money value much more than it does to-day. In other

words, through organization we would be able to do just what other great organized industries do. We would adjust our production to consumption. I know of no other way in which this can be accomplished.

OMINOUS SIGNS

Men everywhere who have been bred upon the land cling tenaciously to the land. They endure much before they exchange the farm for some other occupation. But there are ominous signs all round about us now. Young men who prefer the farm are leaving it because of the larger rewards the cities offer. The number of students entering our agricultural colleges is smaller than it has been for years. And yet these are the young men upon whom we must depend if agriculture shall flourish in the years to come. The Mississippi valley rightly has been called the granary of the world. And yet if the present tendency goes on, in another decade the Mississippi valley will be dotted with abandoned farms because no one can be found who will till them.

The well-being of American agriculture is essential to the well-being and progress of the entire nation. No national policy for America is sound which does not make agriculture its very cornerstone.

The historian of Rome tells us that the decadence of that great empire began with the desertion of the farm for the superior attractions and ease of living in the city of Rome. Indeed, Ferrero, the great historian, has found already much in present day conditions in America to remind him of that period in the history of the Roman empire. Shall we not take warning and while it is yet time see to it that American agriculture shall be guarded at whatever cost?

The agricultural problem is not a class problem, as many seem to think. It involves the very existence of our institutions, as I believe. No man can contemplate the future of America with assurance unless America is to remain fundamentally an agricultural nation. Nature set us apart for an agricultural nation. The very character of our institutions is suited best to an agricultural population. In times of stress, when clouds gather upon our horizon, we turn from the smokestacks of our industrial centers to the open fields, and thank God for the millions of American farmers who live upon the farms they own. For we know that in the quiet of the country these millions of men and women still have time to think and pray. We know that they still cherish the ideals which they were taught at their mothers' knees. In their keeping American institutions are secure.

MUSCLE SHOALS

Mr. HOWELL. Mr. President, recently Henry Ford, in reply to a letter requesting him to retake an interest in Muscle Shoals, has very generously offered to turn over to the Government the results of his investigations and determinations respecting new methods of producing fertilizer. This letter was published recently in the Washington Herald, together with some comments by Mr. Arthur Brisbane. I ask unanimous consent to have it spread upon the RECORD.

The PRESIDING OFFICER (Mr. DILL in the chair). Is there objection to the request of the Senator from Nebraska? The Chair hears none.

The matter referred to is here printed, as follows:

UNITED STATES SHOULD OPERATE SHOALS AS NITRATE PLANT, FORD ADVISES—REPLYING TO TELEGRAM OF MR. HEARST, HE PROMISES COOPERATION AND EXPRESSES BELIEF PROBLEM OF GETTING CHEAP NITROGEN FROM AIR HAS BEEN SOLVED

DETROIT, January 31.—Henry Ford issued the following public statement to-night in answer to a telegram he received from William Randolph Hearst:

"I am no longer interested in taking over Muscle Shoals in accord with the original Ford offer which I made at the request of the War Department four years ago.

"However, I am willing to cooperate with the Government in developing Muscle Shoals into a great nitrate plant making cheap fertilizer for the American farmers.

"In my opinion, the shoals should be used for the production of nitrate and fertilizer.

"I believe that the Government could itself keep Muscle Shoals and run it, not as a power plant but as a nitrate plant, to help farmers in peace and safeguard the country in war. The people of the United States spent \$140,000,000 to create a Government nitrate plant, not a power house. We should not lose sight of the original and biggest reason for Muscle Shoals being built.

"If the Government keeps Muscle Shoals and operates the nitrate plant by the Army and Navy, I shall be glad to put at their service all that the Ford company has of knowledge and experience. Our engineers have been working for three years on the problem of making cheap fertilizer from the air for farmers. We believe we have discovered improvements on the present processes. We believe air nitrate can be made at a price that will materially reduce the cost of fertilizer on the farm.

"The Ford company will turn over to the Government without cost the results of its research. We will lend the men to help build up an efficient organization to run the Shoals. As a citizen's duty, we worked with the Army and Navy during the war. We are ready to give the same cooperation to the Government in aid of the farmers now, cost free to the Government.

"Our open offer, made at Government request, was based on public-service principles with a view to developing, maintaining, and turning back to the Government a great public utility and defensive asset. This can not be done under the system of 'private profit only' that now rules business.

"It is a mistake to say that the Government can not run the nitrate plant as well as any private party. This is the very kind of business the Government ought to engage in. Electrochemical methods of air nitrogen fixation do not require great forces of employees. It is a straight job of letting the forces of nature work for you. The Government has as good men as there are in this field. We talked with some of them when we were figuring on the shoals.

"If the Government keeps Muscle Shoals and runs it for the farmers, I will help, so far as technical help goes, just as much as I could have helped if I had taken the property over.

"(Signed) HENRY FORD."

TO-DAY—NITROGEN OR POWER—FORD PUTS IT PLAINLY—LOOKS LIKE MONOPOLY NOW—UP TO THE PRESIDENT

(By Arthur Brisbane)

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NEW YORK, February 1.—At the request of the War Department, Henry Ford offered to develop the power plant, built by the people at Muscle Shoals, to provide nitrogen from the atmosphere for use in war time.

Nitrogen can be made into explosives for war and fertilizer for peace.

Every voter in this country should read and remember, until next election, Henry Ford's statement concerning Muscle Shoals. It was made yesterday in response to a message from W. R. Hearst, urging Ford to reenter the Muscle Shoals contest and again try to rescue the people's property from selfish exploiters.

The situation is clear. The President must see it plainly. And, fortunately, private monopolists can not seize this public property without the President's consent.

Should Muscle Shoals go to the power monopoly, that concern will be directly indebted to President Coolidge.

In this appeal, sent to Henry Ford by wire, Mr. Hearst said:

"I know how public-spirited you are, and how much you have at heart the welfare of our country and our people.

"I know that in your former attitude toward the Muscle Shoals enterprise you were animated mainly by a desire further to benefit the people of this country, and particularly the farmers, whom you hold so closely in your consideration.

"I know that you have lost none of this desire to serve, and I think that the situation in Washington that has developed in regard to the Muscle Shoals enterprise would again warrant your attention in the public interest."

Every farmer and every other good citizen in the country should write to President Coolidge urging him to keep Muscle Shoals out of the hands of monopolistic exploiters.

It is understood that the President does not believe in public ownership—perhaps because his knowledge of politicians convinces him that they can't be trusted with a dollar.

But the President surely does not believe in turning over a \$140,000,000 public investment to be exploited by private monopolists, whose record for public exploitation is notorious.

The question is, "Shall Muscle Shoals, which the people own, be developed, primarily as a nitrogen-producing plant, and secondarily as a power plant, both in the public interest? Or shall the great enterprise be given to private monopolists to be exploited on the usual basis of 'all that the traffic will bear'?"

President Coolidge will decide the matter. Congress will not send him a bill if it is known that he will veto it.

Write the President and tell him what you think. Farmers, especially, should write. The President is always glad to hear from any citizen.

GOOD ROADS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4971) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended, and supplemented, and for other purposes.

Mr. FESS. Mr. President, the other day in a colloquy as to the program of the Bureau of Public Roads I was inad-

vertently led to make the statement that probably the policy was of the hit-or-miss variety. I should like to make a correction of that statement, because I spoke without information. I have received a letter from the chief of the bureau which is quite informing. Rather than read it myself I should like to have it read at the desk if I can get unanimous consent to have that done.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The principal clerk read as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF PUBLIC ROADS,
Washington, D. C., February 5, 1925.

HON. SIMEON D. FESS,
United States Senate.

MY DEAR SENATOR FESS: I have been very much interested in reading the debate on the Federal highway authorization measure pending before the Senate. The Federal aid program is not on a haphazard basis, but is strictly confined to a system of roads, interstate and inter-county in character, limited to not more than 7 per cent of the total road mileage. The system in each State is agreed upon between the State and the Secretary of Agriculture; an official map has been prepared, and all Federal funds are confined to this system until completed.

The mileage in each State is shown in Table B, published on page 2983 of the CONGRESSIONAL RECORD for February 4, showing that there has been approved as the Federal aid highway system 174,350 miles.

I am sending you a map of this approved system, showing how it forms a connected network for the whole of the United States. We are completing this system at the rate of about 9,000 miles per year of all types. I have roughly estimated that it will require a program of from 12 to 15 years to do the major work on the system, and beyond that period the expenditures can be smaller. I mean by this that after we have surfaced the system in a reasonable manner there will still need to be a continuity of work for some time, such as the elimination of dangerous railroad crossings. In other words, our program is like the railroad program. We get the roads through and the traffic over them, then there is a considerable amount of supplementary construction absolutely necessary to give service to the public and to protect the public in their use of the roads.

As to types of highways, in States like Ohio practically all of the funds are spent for the higher types of roads such as brick, Portland cement concrete, and bituminous macadam.

We approve, on request of the State highway department, what we term "stage construction." This means that we first do the grading and other necessary fundamental work such as the building of culverts and bridges, and put on the surface a covering of gravel or sand-clay to be used until funds are available and the traffic has reached a point where such a surface can no longer be economically maintained. This plan has been used very little east of the Mississippi, but we have necessarily followed it in the Western States because the big demand has been for a large mileage of roads to be used by a very much lighter and less dense traffic than east of the Mississippi.

There are no arbitrary policies established with respect to the administration of Federal aid. Under the Federal highway act the States' rights and authority are very carefully preserved, and the question of State versus Federal rights is not raised in our actual operations. There is close cooperation between the State highway departments and the Bureau of Public Roads. Each respects the good faith and judgment of the other, and we approach the problem of road building as engineers seeking to accomplish the same objective and to be mutually helpful in this immense task.

Very truly yours,

THOMAS H. MACDONALD,
Chief of Bureau.

Mr. FESS. Mr. President, I have had the letter read because it covers all of the items that were in controversy the other day when I was interrogated during the course of the colloquy.

Mr. WADSWORTH. Mr. President, may I ask a question?

Mr. FESS. Certainly.

Mr. WADSWORTH. Does the letter cover an estimate of the ultimate cost?

Mr. FESS. No; it covers the time that will be required to finish the present program.

Mr. WADSWORTH. But not the cost?

Mr. FESS. I think not.

Mr. WADSWORTH. Of course, the Senator will admit that is a rather important element.

Mr. FESS. It is. I do not recall, however, that that question was asked the other day.

Mr. KING. Mr. President, will the Senator yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Utah?

Mr. FESS. I yield.

Mr. KING. For information, I should like to know what the Senator considers a finished program? For instance, to make myself clear, I read in the hearings that one of the witnesses—and one of the principal witnesses—estimates, as I gather his meaning, that 2,671,400 miles will have to be constructed in order to finish the program. There have been to date Federal aid roads constructed aggregating about 46,000 miles, which have cost the Government more than \$500,000,000. The same witness to whom I am referring says that just the limited number of miles which are now under construction and upon which Federal aid has been bestowed and upon which Federal aid will be bestowed will cost over three and one-half billion dollars.

Mr. FESS. I will say to my friend I can not carry the figures in my mind, but I will be glad to place before him the map that was sent to me of the roads already constructed and those which it is planned to construct.

Mr. President, as to the cost, which is enormous, I have the statement of the President of the United States in his first annual message to Congress in which he says:

No expenditures of public money contributes so much to the national wealth as for building good roads.

Whatever be the amount of money required to put the roads in a finished condition the Government is committed to that policy.

I am sure it is, because I read from the platform of one of the great political parties a plank adopted June 11, 1924:

The Federal aid road act adopted by the Republican Congress in 1921 has been of inestimable value in the development of the highway systems of the several States and of the Nation. We pledge a continuation of this policy of Federal cooperation with the States in highway building.

We favor the construction of roads and trails in our national forests necessary to their protection and utilization. In appropriations therefore the taxes which these lands would pay if taxable should be considered as a controlling factor.

Then, Mr. President, I wish to read from the platform of another great political party adopted on June 28, 1924:

Improved roads are of vital importance not only to commerce and industry but also to agriculture and rural life. We call attention to the record of the Democratic Party in this matter and favor a continuance of Federal aid under existing Federal and State agencies.

So I think there is left no doubt as to what is the policy of the Government so far as Federal aid to the building of roads goes. I am certain that it is a nonpartisan movement or, rather, an omni-partisan movement, all parties favoring it. I thought I ought to put this into the RECORD in view of some colloquy the other day.

NOMINATION OF HARLAN FISKE STONE

Mr. HEFLIN obtained the floor.

Mr. STERLING. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from South Dakota?

Mr. HEFLIN. I would rather not yield, Mr. President. The rules require the Presiding Officer to recognize the Senator who first addresses him. I shall detain the Senate only a moment.

The Washington Post to-day contains some misrepresentations regarding myself by a correspondent of the paper who has the privilege of the press gallery. I do not mind representatives of the press criticizing me. I rather invite it. If I take a position they do not agree with, I am willing for them to criticize my position. I like open, honest, fair criticism, but I do not like to have falsehoods told about me.

I have addressed the Senate several times during my service here, and on yesterday when I spoke in behalf of an American citizen who had been denied his rights in the courts of his country the galleries were packed. I have not seen a gallery more sympathetic with any Senator in his fight than the entire gallery was with me. I think every truthful man and woman who observed the situation knows that nine-tenths of the gallery here yesterday sympathized with me in the fight that I made.

A representative of the Washington Post, in an article this morning, says that when I announced that I was about through with my speech there was applause in the galleries. Every newspaper man in the press gallery, including the man who

wrote that article, knows that that is a falsehood. No such thing occurred.

There is one other thing, Mr. President, and that is what I rose to reply to in particular. There are other misrepresentations in this article, but this one I wish to reply to in particular:

At another point Senator HEFLIN said he thought it a mistake to have lawyers on the Senate Judiciary Committee.

Every newspaper man in the gallery and every one else in the gallery and every Senator here knows that that is false; that I said nothing of the kind. The newspaper man who wrote that knew that he was telling a falsehood when he wrote it. I never took the position that there ought not to be lawyers on the Judiciary Committee. I think we ought to have lawyers on it; but because that committee passes upon United States marshals and Federal judges, district judges, circuit judges, and Supreme Court judges, I said and I still say that there ought to be some people on that committee who are not lawyers.

Mr. President, sometimes lawyers are embarrassed on that committee. When they know that a man is going to be confirmed for a place on the Supreme Bench, the thought comes to them that they will have to appear before him and practice law before him, and they naturally do not want to offend him or incur his displeasure; and what is involved in that? It is the lawyer looking at the matter from a lawyer's standpoint, because the lawyer must appear in the Supreme Court before the judge that he would like to oppose, but, perhaps, thinks that he had better not. If we had some people who were not lawyers upon that committee, with some lawyers on it, I think it would be much better.

Here is what I said on that subject; and I merely call this to the attention of the Senate in order that the truth may be known, and that the Record, at least, may contain it:

The Judiciary Committee ought not to be composed entirely of lawyers. Why should it be? The Supreme Court judges are not the judges of lawyers only; but the Judiciary Committee, composed only of lawyers, sit in judgment upon every man who constitutes the Federal judiciary. The people are involved. It is their Government; their rights are at stake; and why should they not have a right to say who shall come through the Judiciary Committee duly O. K'd for a place on the Supreme Court bench.

That was my position, Mr. President; and at some future time I shall fight to have some Senators who are not lawyers placed on that committee. I think it would be a wise change for the Senate to make. I am opposed to all the members of that committee being lawyers, just as I am opposed to bankers constituting the Banking and Currency Committee to the exclusion of others. I do not think the Senate should turn over to the banking interests of this country the Banking and Currency Committee. I think we ought to have some bankers on it, and I think we ought to have on it some people who are not bankers. I feel the same way about the Judiciary Committee—that we should have some lawyers on it and some people who are not lawyers.

Mr. President, I want to make this further observation: I think the Senate ought to take note of newspaper men who have the privilege of the press gallery who deliberately misrepresent a Senator. There is not any excuse for one of them misrepresenting me, and nine-tenths of them would not if they could, because I usually speak loud enough to be heard. I am not going to call the name of the man who wrote that article this time, because he is a very clever writer and I hope he will have a bright future if he will get out of this rascality that they are trying to get him into now on the Post. It would be the best day's work he ever did to quit the Post, because, if he can not stay with the Post and be straight and clean, he should not remain and become a rascal with the Post. [Laughter.]

GOOD ROADS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4971) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes.

Mr. STERLING. Mr. President, I had hoped very much to have a vote on at least this one and first amendment this afternoon, but I had an understanding with the Senator from Washington [Mr. JONES] this morning that I should give way within the course of a couple of hours from the time we began in order that the appropriation bill might be considered, and I want to adhere to that understanding. I therefore ask unanimous consent—

Mr. SWANSON. Mr. President, so far as I am concerned we may just as well understand the situation. I am not going to consent to have any other legislation get ahead of this bill between 12 and 5 o'clock until it is disposed of. There may be a majority to beat it, but I am not going to consent to delay. While I am not going to object this time, I serve notice now that I shall not consent to further postponements. It appears to me that there is more or less of a filibuster being engendered against the bill, and I am not willing to have it jeopardized in the last week of the session and leave it to the mercy of some Senators to say whether or not it shall pass. This bill has been made the unfinished business and I am not going to consent to laying it aside after this time.

If the Senator in charge of the bill has arrived at an understanding that it shall be laid aside for the day, I believe that understanding ought to be carried out.

Mr. STERLING. Yes.

Mr. SWANSON. But I am not going to consent to have the bill laid aside, except by a majority vote, after this time, so far as I am concerned.

Mr. WARREN. Mr. President, will the Senator permit me to interrupt him?

Mr. STERLING. Mr. President, if the Senator from Wyoming will excuse me, I want to say to the Senator from Virginia that I think when we get at this bill again we shall be able to dispose of it in a reasonably short time. That is my feeling now, and it is an impression that has been growing.

Mr. HEFLIN. Mr. President, can we not get an agreement to vote on this amendment and the bill to-morrow at 2 o'clock?

Mr. STERLING. I should be very glad if we could enter into such an agreement.

Mr. HEFLIN. Before we agree to the other request, I ask unanimous consent that this bill and all amendments to it be voted on finally at 2 o'clock to-morrow.

Mr. SMOOT. It would be necessary to have a quorum to make such an agreement.

Mr. STERLING. We should have to call a quorum in order to do that, and it would take a good deal of time to get the quorum. I think probably there will be an opportunity to ask unanimous consent either this evening or to-morrow morning.

The PRESIDING OFFICER (Mr. DILL in the chair). The Senator from Alabama asks unanimous consent—

Mr. HARRISON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The principal legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Dill	Keyes	Reed, Mo.
Ball	Ernst	King	Reed, Pa.
Bayard	Fernald	Ladd	Sheppard
Bingham	Ferris	McKellar	Shipstead
Borah	Fess	McKinley	Shortridge
Brookhart	Fletcher	McNary	Simmons
Broussard	Frazier	Mayfield	Smith
Bruce	George	Means	Smoot
Bursum	Gooding	Metcalf	Spencer
Butler	Harrell	Neely	Stanfield
Cameron	Harris	Norbeck	Stanley
Capper	Harrison	Norris	Sterling
Caraway	Hefflin	Oddie	Swanson
Copeland	Howell	Overman	Trammell
Couzens	Johnson, Calif.	Owen	Wadsworth
Cummins	Johnson, Minn.	Pepper	Walsh, Mass.
Curtis	Jones, N. Mex.	Phipps	Warren
Dale	Jones, Wash.	Pittman	Wheeler
Dial	Kendrick	Ransdell	Willis

The PRESIDENT pro tempore. Seventy-six Senators have answered to the roll call. There is a quorum present. The Clerk will state the unanimous-consent agreement proposed by the Senator from Alabama [Mr. HEFLIN].

The reading clerk read as follows:

Ordered, By unanimous consent, that on the calendar day of Saturday, February 7, 1925, at not later than 2 o'clock, p. m., the Senate will proceed to vote without further debate upon any amendment that may be pending, any amendment that may be offered, and upon the bill H. R. 4971, to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes, through its regular parliamentary stages to its final disposition.

The PRESIDENT pro tempore. Is there objection?

Mr. WADSWORTH. Reserving the right to object, although I had intended to offer an amendment for which I would hope to get consideration to-morrow, and although I can not possibly be here to-morrow, I shall not object to a final disposition of the bill to-morrow; but I do object on general principles to the form of the unanimous-consent agreement which has been suggested. I have seen it operate a good many times. The

result generally is that amendments offered at the last moment can not be explained at all because the final vote has been ordered on all amendments then pending and to be offered, and upon the final passage of the bill.

Mr. CURTIS. I was going to suggest to the Senator that he not object, but that the proposed agreement be amended so as to permit debate of, say, 10 minutes on each amendment.

Mr. WADSWORTH. That is what I was about to say had I not been interrupted.

Mr. HEFLIN. I have no objection that beginning at 12 o'clock to-morrow any Senator may have 10 minutes to discuss any amendment.

The PRESIDENT pro tempore. The Clerk will state the proposed unanimous-consent agreement as modified.

The reading clerk read as follows:

That on the calendar day of Saturday, February 7, 1925, at not later than 2 o'clock, p. m., the Senate shall proceed to vote without further debate upon any amendment that may be pending, any amendment that may be offered, and upon the bill (H. R. 4971) through the regular parliamentary stages to its final passage, and that after the hour of 12 o'clock m. on said calendar day, no Senator shall speak more than once or longer than 10 minutes upon the bill or more than once or longer—

Mr. WADSWORTH. That is not the agreement which I had in mind. I am perfectly willing to consent to a limitation on debate. I would just as leave have it five minutes on any amendment and on the bill, but not fixing the hour for the final vote.

Mr. SWANSON. The Senator has no objection to an agreement to dispose of the bill before adjournment to-morrow?

Mr. WADSWORTH. Not at all.

Mr. HEFLIN. Will the Senator agree to have the time fixed at 4 o'clock?

Mr. NORRIS. Let me suggest to the Senator from New York that if the unanimous-consent agreement is amended so as to limit the debate to five minutes that will bring about the end he desires; there will not be any trouble about it. If we do agree on a specific hour for final vote, as we all know, we are likely to run against the very thing the Senator from New York has spoken of.

Mr. WADSWORTH. We do it constantly, and it is exceedingly unfair to the Senate, as well as to the introducer of any amendment at the last minute, not to have any debate on it at all.

Mr. NORRIS. I think the Senator's proposal as made—

Mr. HEFLIN. Let me suggest to the Senator from New York that debate be limited to five minutes—

Mr. WADSWORTH. To that I am perfectly willing.

Mr. HEFLIN. On amendments and on the bill, and that a vote be had on the bill to-morrow.

Mr. WADSWORTH. In the good time of the Senate.

Mr. NORRIS. I ask unanimous consent that beginning to-morrow all speeches on the bill or any amendment thereto be limited to five minutes.

Mr. SWANSON. Make it 1 o'clock.

Mr. NORRIS. I will make it 1 o'clock.

Mr. HEFLIN. I accept the suggestion of the Senator from Nebraska.

Mr. NORRIS. That after 1 o'clock all speeches on the bill or upon any amendment be limited to five minutes.

Mr. REED of Pennsylvania. And that no Senator shall speak more than once.

Mr. NORRIS. And that no Senator shall speak more than once upon the bill or any amendment.

Mr. HEFLIN. I accept the amendment.

The PRESIDENT pro tempore. The Senator from Alabama accepts the modification proposed by the Senator from Nebraska. The Secretary will state the unanimous-consent agreement as it would read if so modified.

Mr. REED of Pennsylvania. Mr. President, I understand that a large number of Senators who are actively interested in the bill will be compelled to be absent from the Senate to-morrow. I suggest that there be nothing in the agreement to provide that a vote must be taken to-morrow. The effect of the agreement as it stands will be to force a vote to-morrow.

Mr. SWANSON. No—

Mr. REED of Pennsylvania. If the agreement provides that at 1 o'clock speeches shall be limited to five minutes, there will be a final disposition of the bill to-morrow, it is sure.

Mr. McKELLAR. But the present proposal does not provide for that.

The PRESIDENT pro tempore. The Secretary will state the agreement.

The reading clerk read as follows:

It is agreed by unanimous consent that, beginning at 1 o'clock p. m. to-morrow, all speeches on the bill H. R. 4971 be limited to five minutes, and no Senator shall speak more than once on the bill or any amendment.

Mr. BROUSSARD. I would like to suggest that there be inserted in the unanimous-consent agreement a provision that no other business shall intervene before the final disposition of the bill.

Mr. REED of Pennsylvania. If the hour is made 4 o'clock, that will have practically the same effect. We will dispose of the bill finally on Monday, and at the same time give consideration to these other Senators—I am not one of them—who have to be absent to-morrow. I ask the Senator from Nebraska to accept the modification.

Mr. NORRIS. As far as I am concerned, I do not want to cut off any Senator. If it is agreeable to everybody else, I am perfectly willing that we should have the understanding that the bill will not be disposed of until Monday.

Mr. HEFLIN. Mr. President, in order to finally determine what we are going to do about it, will the Senator object to having a final vote on the bill at 2 o'clock on Monday?

Mr. NORRIS. We may reach a vote before that time.

Mr. HEFLIN. At 3, or 4, or 4.30?

Mr. NORRIS. In order to accommodate the Senators who have to be away to-morrow, we should have an understanding that we will not take a final vote to-morrow. As far as I am concerned, I am willing to have a final vote now, but in order to accommodate two Senators—the Senator from Connecticut and the Senator from New York, neither one of whom can be here to-morrow—I am willing that a vote shall be had on Monday.

Mr. STERLING. I understand the Senator from New York waives that question.

Mr. NORRIS. The Senator from Connecticut, no doubt, would be willing to waive it, too, but he is very much interested in the bill, and would like to be here.

Mr. SWANSON. Would the Senator from New York be willing that the agreement should be made, with the understanding that no final vote shall be taken before 2 o'clock Monday?

Mr. WADSWORTH. That will be perfectly satisfactory.

Mr. NORRIS. I am agreeable to that.

Mr. DIAL. Mr. President, we have had this matter up for a long time, and I imagine that every Senator has made up his mind how he will vote on it. The session is drawing to a close, and some of the rest of us have measures we want to have passed. It seems to me we might as well dispose of the bill this afternoon. I do not object to its going over, but—

Mr. SWANSON. There has been an agreement made by the Senator in charge of the bill that we will take up an appropriation bill, and we ought to abide by that.

Mr. DIAL. Senators can not bind the rest of us by any agreement among themselves.

Mr. REED of Pennsylvania. Will the Senator yield to me?

Mr. DIAL. I yield.

Mr. REED of Pennsylvania. I understand that the Senator who has charge of the appropriation bill is willing that we should now dispose of the pending amendments to the good roads bill, and I understand also that there are no other Senators who wish to be heard on them. I suggest that we dispose of them now, and then let us go to the appropriation bill.

Mr. HEFLIN. Very well. I call for the yeas and nays on the pending amendment.

The PRESIDENT pro tempore. Objection is made to the proposed unanimous-consent agreement, and the question is upon the amendment proposed by the Senator from Pennsylvania [Mr. REED]. The yeas and nays are demanded. Is the demand seconded?

The yeas and nays were ordered.

Mr. REED of Pennsylvania. I ask that the amendment be stated.

The READING CLERK. On page 2 of the bill the Senator from Connecticut [Mr. BINGHAM] proposes to strike out lines 3 and 4 in the following words:

The sum of \$75,000,000 for the fiscal year ending June 30, 1926.

The Senator from Pennsylvania [Mr. REED] moves, in line 3, to strike out "\$75,000,000" and to insert in lieu thereof "\$60,000,000."

The PRESIDENT pro tempore. The yeas and nays have been ordered, and the clerk will call the roll.

The reading clerk proceeded to call the roll.

Mr. SWANSON (when Mr. GLASS's name was called). My colleague, the junior Senator from Virginia [Mr. GLASS] is paired with the senior Senator from Connecticut [Mr. MCLEAN]. If my colleague were present he would vote "nay."

Mr. KING (when his name was called). Upon this vote I have a general pair with the Senator from New Jersey [Mr. EDGE]. Not knowing how he would vote, I withhold my vote.

Mr. CURTIS (when Mr. ROBINSON's name was called). I have a pair with the Senator from Arkansas [Mr. ROBINSON] on this question. I have already voted "nay" and will allow my vote to stand. I understand if the Senator from Arkansas were present he would vote "nay."

Mr. HARRISON (when Mr. STEPHENS's name was called). My colleague, the junior Senator from Mississippi [Mr. STEPHENS], is paired on this question with the senior Senator from Rhode Island [Mr. GERRY]. If the senior Senator from Rhode Island were present, he would vote "yea." If my colleague were present, he would vote "nay."

The roll call was concluded.

Mr. HEFLIN. My colleague, the senior Senator from Alabama [Mr. UNDERWOOD], is absent on account of illness. If he were present, he would vote "nay."

Mr. JONES of New Mexico. I desire to announce that the Senator from Indiana [Mr. RALSTON] is necessarily absent. He is paired with his colleague, the senior Senator from Indiana [Mr. WATSON].

Mr. OWEN. I transfer my pair with the Senator from West Virginia [Mr. ELKINS] to the senior Senator from Arkansas [Mr. ROBINSON] and vote "nay."

Mr. BROUSSARD (after having voted in the negative). I have just ascertained that my general pair, the senior Senator from New Hampshire [Mr. MOSES], is absent. I transfer my pair to the senior Senator from Tennessee [Mr. SHIELDS] and allow my vote to stand.

Mr. BRUCE (after having voted in the affirmative). I am paired on this question with the Senator from Virginia [Mr. GLASS]. If that Senator were here he would vote "nay," and if I were permitted to vote I would vote "yea."

Mr. REED of Pennsylvania. A pair with the Senator from Virginia [Mr. GLASS] has already been announced.

Mr. SWANSON. My colleague [Mr. GLASS] has a general pair with the Senator from Connecticut [Mr. MCLEAN]. My colleague had to leave at 3 o'clock and did not know how the Senator from Connecticut would vote on this question. Just before he left, my colleague wrote me a note asking me to inform the Senator from Maryland [Mr. BRUCE] that he, the Senator from Maryland, was released to vote on this question, and my colleague kept his pair with the Senator from Connecticut. I noticed that the Senator from Maryland voted and consequently did not call his attention to the fact that the pair had been released.

The result was announced—yeas 13, nays 61, as follows:

YEAS—13

Bayard	Butler	Metcalf	Walsh, Mass.
Bingham	Copeland	Pepper	
Borah	Cummins	Reed, Pa.	
Bruce	Keyes	Wadsworth	

NAYS—61

Ashurst	Fess	McKellar	Shipstead
Ball	Fletcher	McKinley	Shortridge
Brookhart	Frazier	McNary	Simmons
Broussard	George	Mayfield	Smith
Bursum	Gooding	Means	Spencer
Cameron	Harrell	Neely	Stanfield
Capper	Harris	Norbeck	Stanley
Caraway	Harrison	Norris	Sterling
Couzens	Heflin	Oddie	Swanson
Curtis	Howell	Overman	Trammell
Dale	Johnson, Calif.	Owen	Warren
Dial	Johnson, Minn.	Phipps	Wheeler
Dill	Jones, N. Mex.	Pittman	Willis
Ernst	Jones, Wash.	Ransdell	
Fernald	Kendrick	Reed, Mo.	
Ferris	Ladd	Sheppard	

NOT VOTING—22

Edge	Hale	Moses	Underwood
Edwards	King	Ralston	Walsh, Mont.
Elkins	La Follette	Robinson	Watson
Gerry	Lenroot	Shields	Weller
Glass	McCormack	Smoot	
Greene	McLean	Stephens	

So the amendment of Mr. REED of Pennsylvania was rejected. The PRESIDENT pro tempore. The question now is upon the amendment proposed by the Senator from Connecticut.

Mr. STERLING. I understand that the amendment has been withdrawn.

Mr. REED of Pennsylvania. I understand the Senator from Connecticut has withdrawn his amendment, and I desire to do the same with my second amendment.

The PRESIDENT pro tempore. There is no record of the withdrawal.

Mr. BINGHAM. I withdraw the amendment.

The PRESIDENT pro tempore. The amendment of the Senator from Connecticut is withdrawn, as is also the amendment of the Senator from Pennsylvania to it.

Mr. STERLING. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The READING CLERK. On page 2, line 7, before the word "not," insert "immediately upon the passage of this act and thereafter," and in line 7 strike out the numerals "1925" and insert in lieu thereof the words "of each year," so as to read:

Immediately upon the passage of this act, and thereafter not later than January 1 of each year, the Secretary of Agriculture is authorized to apportion among the several States—

And so forth.

Mr. STERLING. This is a clerical amendment, as I think I may call it, made necessary by the fact that the Senate did not act upon the bill prior to January 1, 1925.

The amendment was agreed to.

Mr. STERLING. On page 2, line 19, I move to amend by striking out the word "contractual" and inserting the word "contractual."

The amendment was agreed to.

Mr. STERLING. On page 4 there is a committee amendment to be acted upon.

The PRESIDENT pro tempore. The amendment will be stated.

The READING CLERK. On page 4, line 13, strike out "June 30" and insert "January 22."

The amendment was agreed to.

Mr. STERLING. I send to the desk an amendment, which is offered in behalf of the Senator from Kansas [Mr. CURTIS], and which amendment I accept.

The PRESIDENT pro tempore. The Clerk will state the proposed amendment.

The READING CLERK. After section 4, it is proposed to insert a new section, as follows:

SEC. 5. That in any State where the existing constitution or laws will not permit the State to provide revenues for the construction, reconstruction, or maintenance of highways, the Secretary of Agriculture shall continue to approve projects for said State until three years after the passage of this act, if he shall find that said State has complied with the provisions of this act in so far as its existing constitution and laws will permit.

Mr. STERLING. Mr. President, I desire to say that this amendment is word for word the same as the law of 1921, which allowed the Secretary of Agriculture to continue to approve projects for three years.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDENT pro tempore. The bill is still before the Senate as in Committee of the Whole and is open to amendment.

Mr. WADSWORTH. I move to amend the bill by inserting, after line 16, on page 4, probably as a new section, the language which I send to the desk, and I ask the Secretary to read.

The PRESIDENT pro tempore. The amendment proposed by the Senator from New York will be stated.

The READING CLERK. On page 4, after line 16, it is proposed to insert:

The Secretary of Agriculture is authorized and directed to cause to be prepared, in cooperation with the appropriate State authorities, a map or plan outlining the system of post roads which, in his judgment, should be improved under the Federal-aid system, and to report to the Congress, not later than June 30, 1926, such map or plan, together with estimates as to cost and the period of time necessary for completion of the work.

Mr. WADSWORTH. Mr. President, the object of the amendment is obvious, and I hope it will be accepted by the Senator in charge of the bill.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. STERLING. I think I have no objection to that amendment.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. PITTMAN. No, Mr. President—

Mr. SHIPSTEAD obtained the floor.

Mr. HARRISON. Let us have a division on the amendment.

The PRESIDENT pro tempore. The Chair has recognized the Senator from Minnesota [Mr. SHIPSTEAD].

Mr. SHIPSTEAD. I yield to the Senator from Nevada.

Mr. PITTMAN. I do not think the amendment of the Senator from New York should be adopted as though it amounted to nothing. I never knew an amendment to be offered by the Senator from New York that was not material and important.

Mr. WADSWORTH. This amendment has such merit that no one could object to it.

Mr. PITTMAN. The present law, as I understand, does not give power to the Department to determine where a road shall be built.

Mr. WADSWORTH. Not at all.

Mr. PITTMAN. Nor does it leave it to the discretion of the department to say what roads are important and what are not.

Mr. WADSWORTH. This amendment does not imply any such power.

Mr. PITTMAN. I take it for granted that the Secretary of Agriculture is to report what roads, in his opinion, are valuable as post roads.

Mr. WADSWORTH. Yes; that is it.

Mr. PITTMAN. I feel that we should not ask for his opinion but for information as to what roads are at present used as post roads.

Mr. WADSWORTH. I think the amendment covers the very matter which the Senator from Nevada has in mind.

Mr. PITTMAN. Possibly I did not understand the amendment as read.

Mr. WADSWORTH. The amendment merely provides that:

The Secretary of Agriculture is authorized and directed to cause to be prepared in cooperation with the appropriate State authorities a map or plan outlining the system of post roads which, in his judgment, should be improved under the Federal aid system and to report to the Congress not later than June 30, 1926—

That is, about 15 months from now—

together with estimates as to cost and the period of time necessary for completion of the work.

Mr. PITTMAN. If the amendment should call for a report as to what roads in the judgment of the Secretary of Agriculture and the States should be improved, it would be a different thing, or if the map were to be made in cooperation with the States.

Mr. WADSWORTH. Under this proposed amendment the investigation of the Secretary of Agriculture is to be made in cooperation with the States.

Mr. PITTMAN. The investigation is to be made in cooperation with the States, but there is nothing, as I take it, providing that he shall report as to the views and attitude of any State with which he is cooperating. We shall get nothing under the amendment except the report of the Secretary of Agriculture.

Mr. WADSWORTH. I do not know how the Senate could call for a report from 48 different States. I thought we could get the information through the Federal officer in general charge of the work in cooperation with the States.

Mr. PITTMAN. I am in accord with the Senator as to securing a report from the Secretary of Agriculture, but I do not want his opinion alone. I do not object to having his opinion, but I want him to report the facts as developed by the joint investigation.

Mr. WADSWORTH. I think that is what the amendment calls for.

Mr. PITTMAN. Will the Senator change the last words of his amendment so to provide that the Secretary of Agriculture shall report not only his opinion, but also the facts developed by such investigation?

Mr. WADSWORTH. The last words of the amendment read:

Together with estimates as to cost and the period of time necessary for completion of the work.

How would the Senator desire that language changed? Would he have it read "together with his estimates"?

Mr. PITTMAN. Of course, I can not keep in mind the language of the Senator's amendment. I simply want the Secretary of Agriculture to report not alone his opinion, but also as to the action of the States.

Mr. FLETCHER. Mr. President—

The PRESIDENT pro tempore. The Chair has recognized the Senator from Minnesota.

Mr. FLETCHER. Will the Senator from Minnesota yield to me?

Mr. SHIPSTEAD. Is it the purpose of this amendment to provide that an official survey shall be conducted for the purpose of designating a national system of highways?

Mr. WADSWORTH. Yes; of post roads.

Mr. SHIPSTEAD. Is it a new undertaking so far as the Government is concerned?

Mr. WADSWORTH. No; it is not a new undertaking. I assume that the Bureau of Public Roads already has in mind a good deal of its work for the future. What I think Congress is entitled to know is what is contemplated for the future; how much it will cost, how long it will take. I may say that legislative provisions, such as this, are contained in most of the good roads legislation of the several States. I know in the State of New York which, unfortunately for itself, it may be said, went ahead and completed its road system before Federal aid was ever started, and is now helping other States to pay for theirs—the road legislation contains a provision that there shall be a map of the contemplated road system of the State; and no money can be appropriated for the building of good roads in the State of New York unless it is applied to the roads specified on that map.

I do not know that Congress will want to go as far as that in the future; I do not know whether it will want us to be as strict as that in the future; but I do say that if we are to expend \$75,000,000 a year for a score of years yet to come, and further sums beyond that period for incidental expenses, as mentioned in the letter of Mr. MacDonald, the chief of the bureau, we ought to have some plan on which to build, and that plan ought to be reported to the Congress, so that we will know not only when we start but where we are going.

Mr. FLETCHER. Mr. President, may I interrupt the Senator for a moment?

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Florida?

Mr. SHIPSTEAD. I yield.

Mr. FLETCHER. What will be accomplished by this amendment, if adopted, will be to stop any further building of roads than those that exist now and are at present recognized. The amendment contemplates a program merely embracing highways now authorized and which it is proposed to finish. That does not leave any opportunity for future development of roads.

Mr. WADSWORTH. The Senator from Florida is mistaken.

Mr. FLETCHER. In some States that might be all right, but in States that are building new roads and are developing vast areas in different portions of the country there is need for new roads in addition to those that exist to-day or that may exist to-morrow. Why cut off the building of good roads at a certain point and say we shall not go beyond that?

Mr. STERLING. Mr. President, I think the Senator from Florida is in error in his interpretation of the proposed amendment offered by the Senator from New York. I do not think it has any such meaning or scope as he has indicated. It merely provides that the highway authorities of the several States may, in cooperation with the Secretary of Agriculture, ascertain what post roads need improvement or what are practicable, and so forth, and such projects may be approved by the Secretary of Agriculture when they are submitted to him thereafter.

Mr. President, as a matter of fact a great deal of work has been done, and a national system of roads to the extent of 174,350 miles has already been apportioned or actually completed or allotments have been made for the several projects belonging to the system.

Mr. JONES of New Mexico. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from New Mexico?

Mr. SHIPSTEAD. I yield.

Mr. JONES of New Mexico. I should like to call to the attention of the Senator the fact that there is absolutely no limitation of time provided in the amendment proposed by the Senator from New York. We do not know what length of time the Secretary may feel called upon to consider when he comes to carrying out this direction, and if the amendment means what it says then he shall do this for all time.

Mr. WADSWORTH. Oh, no.

Mr. JONES of New Mexico. There is no limitation in the amendment. It refers to all roads that may be necessary, but the Senator from New York himself said that he wanted to know how large the road appropriations would be in the future. If the Secretary of Agriculture were to attempt to carry out the proposal of the Senator from New York we would have not the remotest idea of the expense to be incurred. How is he going to ascertain the expense and the cost of post roads without making an engineering estimate? To do that at this

time for prospective roads, I submit, would be calling upon the Treasury for an expenditure wholly unnecessary. Why should he be called on to say what in his opinion should be done in this road matter now and in the future? The Senator does not even mention the number of years which may be necessary in order to complete the program.

Mr. WADSWORTH. I ask for the information, that is all—for the opinion of the Secretary of Agriculture.

Mr. JONES of New Mexico. So far as the amendment is concerned, it requests him to make an estimate for all time.

Mr. WADSWORTH. Oh, no; not for all time. Apparently the Senator from New Mexico, if he will pardon me, does not want this information.

Mr. JONES of New Mexico. I submit that the information will be of no value whatever. If the Senator wants to know what roads are already under construction or contemplated, and wants to have a map of such roads, all well and good, but, as stated by the Senator from Florida [Mr. FLETCHER], we can not now even anticipate what roads we may want in the near future. Some sections of the country are in a state of development; we are extending the roads of the country; and the information called for by the Senator from New York would either be worthless or it would involve an expenditure which, I am sure, the Senate would not want to incur now for that purpose.

Mr. WADSWORTH and Mr. BROUSSARD addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Minnesota yield, and if so, to whom?

Mr. SHIPSTEAD. I yield to the Senator from New York.

Mr. BROUSSARD. Mr. President, will the Senator yield?

Mr. WADSWORTH. I think the Senator from Minnesota yielded to me.

Mr. SHIPSTEAD. Yes; I yield to the Senator from New York first.

Mr. WADSWORTH. I thank the Senator.

Mr. BROUSSARD. Mr. President, will the Senator from New York yield to me?

Mr. WADSWORTH. For a question, but I should like to explain my amendment a little further.

Mr. BROUSSARD. I merely wanted to make a short statement, but I will do so later, in my own time.

Mr. WADSWORTH. Mr. President, I was greatly interested in a letter which was put into the RECORD by the Senator from Ohio [Mr. FESS] this afternoon addressed to him by Mr. MacDonald, the chief of the Bureau of Public Roads of the Department of Agriculture. As I recollect, in that letter Mr. MacDonald states that, counting up the roads thus far built with Federal aid, the roads thus far approved, and the roads planned for the future, the total aggregates 174,000 miles.

Mr. BROUSSARD. Mr. President, at that point will the Senator yield?

Mr. WADSWORTH. Yes.

Mr. BROUSSARD. I was about to state a while ago, and I think I may make the statement now, so that the Senator in his discussion may consider the factor I am about to mention that in determining the roads to be built, as the Senator knows, a State must duplicate the amount appropriated by the Federal Government.

Mr. WADSWORTH. I understand that.

Mr. BROUSSARD. Those amounts are raised by special assessment, and until every section of any given interstate road has been provided for in the regular way, under the State constitution, it is impossible for the State to give its assent to any project for an interstate road. If the Senator from New York wants to permit the Bureau of Public Roads to lay out a system of roads and then require the States to adopt it, under the conditions imposed in the Federal good roads law, it will be necessary for the States to assess by way of special taxation an amount equal to the Federal appropriations. Even if such a system of roads were projected and submitted to the Congress of the United States it would be absolutely worthless, in my opinion, Mr. President, because there are certain sections of the United States where the assessed valuation of the property abutting the roads would not permit the levying of sufficient taxes at a given time in order to meet the State expenditure. So we would find ourselves in this condition, that, although we had a system of roads submitted to the Congress, when we undertook to construct them we would have links that were not completed and no provision under which the local communities could complete them.

Mr. WADSWORTH. Mr. President, if the Senator will pardon me, I will start over again.

The letter of Mr. MacDonald indicated the existing plans or hopes, perhaps, of the Bureau of Public Roads, involving,

as I recollect the figures in the letter, 174,350 miles. That, as I understand, is merely the opinion of Mr. MacDonald. I should like the Federal authority to confer with the States for the next year and a half, and, after so conferring, report to the Congress what in his judgment, this program is going to amount to.

This amendment of mine does not involve in the slightest degree any attempt to force a good-road system upon the States. It is merely to bring to the Congress some information as to the present judgment of the States and the Bureau of Public Roads as to what the program is, how long it will take, and how much it will cost.

Mr. STERLING. Mr. President, does the Senator from New York mean the program that will involve the construction of 174,350 miles?

Mr. WADSWORTH. Yes; or any modification of it which he may see fit to submit to us for further consultation between him and the States between now and June 30, 1926. If the Senate does not want that information, it can vote down the amendment.

The PRESIDENT pro tempore. The Chair withdraws the statement, which will be found in the RECORD, that the amendment was agreed to without objection. The question is upon agreeing to the amendment of the Senator from New York.

Mr. WADSWORTH. Upon that I call for the yeas and nays.

Mr. COUZENS. Mr. President, let us have the amendment stated. It has been revised several times.

Mr. WADSWORTH. It has not been revised at all. It is the same amendment that I had before. I am willing to have it stated, of course.

Mr. COUZENS. Let us have it stated.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The reading clerk read as follows:

The Secretary of Agriculture is authorized and directed to cause to be prepared in cooperation with the appropriate State authorities a map or plan outlining the system of post roads which, in his judgment, should be improved under the Federal aid system, and to report to the Congress not later than June 30, 1926, such map or plan, together with estimates as to cost and the period of time necessary for completion of the work.

Mr. SHIPSTEAD. Mr. President, I am not convinced in my own mind that this amendment should not prevail. It seems to me, however, that I can see in it the beginning or the continuation of a policy of enlargement of Federal aid that is sweeping all over the country and takes in almost every form of human endeavor and adds to the constantly growing appropriations from the Federal Treasury. This is done, Mr. President, upon the assumption upon the part of a great many people that if the State will spend \$100 for a good road the Federal Government will spend another \$100, and it encourages the people of the States to spend money on a very extravagant basis because so many of them are led to believe that by spending a great deal of money they will get a great deal of money from the Federal Government for nothing. That is the underlying basis of a great deal of this so-called Federal aid to the various activities throughout the States.

It seems to me that I can see in this amendment a proposition already conceived for a great national program for national highways; and it seems to me that it is fair to assume that with that report will come a request for an appropriation to carry it out which will be double or treble the amount of the appropriation we are voting here this afternoon. Unless, for instance, my State or any other State taxes its people to meet the appropriation for Federal aid, that State is placed in a position where it will have to contribute to the Federal road fund, but can not enjoy the benefits of its own taxes.

This continual propaganda for Federal aid is increasing the appropriations and the taxes necessary to fill the Federal Treasury; and, I think, that instead of laying plans for further encroachments upon the Federal Treasury we should have some commission to investigate how we can stop these continual encroachments upon the Federal Treasury, which are made on the assumption that if the county and the State will produce a certain amount of money they will get a like amount of money from the Federal Government for nothing. We do not get it for nothing. It all comes out of the pockets of the people, and at least 90 per cent of this propaganda for Federal aid is based upon the falsehood that the money the people get from the Federal Treasury, through Federal aid, they get for nothing under the slogan of "Free Federal aid!"

Mr. PEPPER. Mr. President, I do not see in this amendment what the Senator from Minnesota [Mr. SHIPSTEAD] sees in it. I should think the Senator from New York could not

have fairly imputed to him any such purpose as that which is suggested.

This is a simple proposition. Some of the States make large contributions to this Federal fund. The question is whether our taxpayers are to be asked blindly to pour their money into this pool, or whether we are to be furnished with some information respecting the probable outlay, and where it is that our money is going. It is a conservative measure, not an extravagant one. It is in the interest of good business. It is, in a measure, budgeting the work of good roads; and I, for one, very much hope, in the interest of those who contribute the money to the fund, that the amendment will prevail.

Mr. SHIPSTEAD. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Pennsylvania yield to the Senator from Minnesota?

Mr. PEPPER. I do.

Mr. SHIPSTEAD. I hope the Senator will not assume that I intended to impute any but the best motives to the Senator from New York. I realize that this is a question upon which there can be an enormous difference of opinion. I do not want to be understood as having any conscientious scruples about the motives. I take it for granted that the motives are good.

Mr. PEPPER. I assume that that is the Senator's state of mind.

Mr. HARRELD. Mr. President, I should like to ask the Senator a question. Under the present law the entire expense that is incurred in locating roads is borne by the State highway departments. The Federal Government only finally says whether or not it will contribute to the building of the roads. I have just come into the Chamber, but I should like to ask whether the amendment that the Senator is supporting in any way affects that condition? Does it in any way put the Government to the expense of having to locate these various roads—because there is where a large part of the expense is?

Mr. PEPPER. Not at all. As I understand, this is an amendment which calls upon the Secretary of Agriculture during the next 15 months to prepare, in cooperation and consultation with the State authorities, a map indicating the scheme of Federal post roads which it is desirable to improve, and to report to the Congress by June 30, 1926, the map thus prepared, together with estimates of cost and an estimate of the time during which the program of improvement will take place. It does not limit the authority of the States. It promotes cooperation between the Department of Agriculture and the State authorities, and it merely prevents the Congress from appropriating these vast sums of money and pouring them into a blind pool. It is calling for the information which will alone justify us in voting all these millions and millions of the taxpayers' money.

Mr. HARRELD. If, however, this map is once established and becomes binding in any way, then it would involve the Federal Government in the expense and in the difficulties of locating roads.

Mr. PEPPER. Mr. President, I am sure that if the Senator will read the amendment, he will agree that there is not one word in it that imposes an obligation upon anybody to do anything, excepting upon the Secretary of Agriculture to prepare a map and report it to us.

Mr. HARRELD. It would not be binding on Congress?

Mr. PEPPER. Not at all, sir. It is a mere report for our information.

Mr. KING. Mr. President, may I have the attention of the able Senator from New York [Mr. WADSWORTH]? My opinion is that the amendment offered by the Senator from New York calls for information which we should be glad to have, but what I am afraid of is this: Knowing the predilection of Federal officials to extend their authority and to increase appropriations in behalf of bureaus which they control, I fear that the Secretary will recommend surveys far beyond the needs of the States, and far beyond the capacity of many of the States to execute. I am afraid of a plan which would be recommended by the Secretary of Agriculture. I think we ought to know not only the beginning of our program but the end of it. To that extent I am in entire sympathy with the Senator from New York.

What I should like to see is a comprehensive program, participated in, as the Senator's amendment contemplates, by the Secretary of Agriculture and by the various road authorities. If there are any differences between them, the report ought to indicate those differences, and we ought to have the views of the State authorities as to what they think a comprehensive plan should be, and the views of the Secretary of Agriculture, and then it is up to us to determine what we shall do.

I say again to the able Senator from New York, however, that if you leave to the Secretary of Agriculture the determination of a program, he may impose upon Congress, if he can, a program that will bankrupt the Government and bankrupt many of the States. I have not any confidence in paternalism and in the judgment of many of these bureaus; and I hope the able Senator from New York will modify his amendment so that we may have the views of the States as well as the views of the Secretary of Agriculture. If those views coincide, well and good. If there are differences we should have those differences before us, and then it will be up to Congress to determine whether they will make appropriations for the execution of the program or not.

Mr. JONES of New Mexico. Mr. President, I just want to say another word.

I do not believe that this program of road building has any prospective end, and I do not think it should have. I hope, as long as we have this great country of ours, that we will continue to increase the good roads of the country. I do not know of a single country on earth that has completed its road system; and it is absolutely futile to attempt to make out a general program here for future action by Congress with a view of limiting the activities of the Government in connection with the States.

I can find nothing in this amendment that seems to indicate a spirit of carrying on the construction of good roads such as the Senators here who voted for these appropriations have in mind. I think I can see an attempt to have a report brought in, which in the course of a great number of years would involve the expenditure of a large sum of money, and then appeal to the country that we are appropriating these tremendous sums, and that the Congress ought to bring this thing to a stop. I submit that this amendment is not in sympathy with the movement which we have favored in the enactment of legislation such as we are now considering.

Mr. WADSWORTH. Mr. President, I desire to modify my amendment by adding a new sentence, as follows:

And the Secretary of Agriculture is also authorized and directed to transmit to the Congress, as a part of his report, such recommendations and estimates as may emanate from the State authorities.

Apparently Senators suspect the motive of this amendment. It has been very evident that some of them do. Some of them in private conversation have already told me so. All I am asking is that as we embark upon the erection of an immense structure, we see the plans; that is all.

Mr. GOODING. Mr. President, the Senator must admit that that means a great expenditure of money, which many of the States can not afford at this time to undertake. Any other information than a regular survey with an estimate would be of no value at all to the Congress or to anyone else.

I am disappointed at the turn this argument has taken on this bill. I do not know why the East should be against this proposition; and it is practically the East that is against this bill and has been fighting it. I do not know why the East should be opposed to the development of the West.

As far as my State is concerned, the East owns it; it is largely owned in New York City. All of the standing timber in my State belongs to eastern companies. All the life-insurance companies and all the fire-insurance companies in my State, with one or two exceptions, belong to eastern companies. The railroads of my State, the interurban lines, and everything else we have out there, the power plants, and such things as that, belong to eastern corporations. The General Electric Co. has a monopoly of all the power plants in my State and all the potential opportunities for the development of power. The people of Idaho have very little left outside of the land. It is true they have that. Practically every corporation we have in Idaho is a foreign corporation. They are mightily interested in the West. My State has something like 60,000 automobiles bought from the East. We buy all of our farming machinery in the East. We have not a manufacturing institution in the State of Idaho of any importance. We pay tribute to the East on about everything we have and everything we buy.

I do not know why the East should be so much against the development of their own property, in which they have such a great interest, and I do not know of anything that will develop that country any better than good roads. The people in the East should not object to the building of good roads for the development of the West.

We have great national parks out in the West, and we are proud of them, as far as that is concerned, and we want the people of the East to come out and visit our parks. At the same time, with the great financial interest the East holds in

the West, we do not think they should object to the building of good roads for the development of the West.

Mr. WILLIS. Mr. President, I have not engaged in this discussion, but what has been said by the Senator from Idaho makes me desire to occupy a brief moment.

I am from that section of the country which I suppose the Senator would denominate the East. I am as much interested in the building of good roads as is the Senator from Idaho, but I repel the suggestion that if a Senator indicates that he wants the Government to get a plan, therefore he is opposed to carrying out the project. Suppose we were about to construct a great building; would the Senator from Idaho say that if we undertook to get a plan of the building, therefore we would be opposed to the erection of the building? I am for this bill and for this appropriation, but I am in favor of this amendment, because it is a reasonable attempt to secure information.

Mr. HEFLIN. Mr. President, I want to say that we already have this information. I have visited the Good Roads Department and have gone over with Mr. MacDonald a map showing the projects in my State and projects in other States, those now approved and the projects they have in mind for the future. I think we already have this information, and I ask for a vote.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from New York as modified, on which the yeas and nays have been demanded.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. ROBINSON] and in his absence I withhold my vote.

Mr. JONES of New Mexico (when his name was called). I transfer my general pair with the Senator from Maine [Mr. FERNALD] to the Senator from Tennessee [Mr. SHIELDS], and vote "nay."

The roll call was concluded.

Mr. HARRISON. My colleague [Mr. STEPHEN] is paired on this question with the senior Senator from Rhode Island [Mr. GERRY]. If my colleague were present and voting, he would vote "nay."

Mr. BROUSSARD (after having voted in the negative). I transfer my pair with the senior Senator from New Hampshire [Mr. MOSES] to the senior Senator from Alabama [Mr. UNDERWOOD], and permit my vote to stand.

The result was announced—yeas 22, nays 45, as follows:

YEAS—22			
Ball	Couzens	McKinley	Wadsworth
Bingham	Cummins	Norbeck	Walsh, Mass.
Bruce	Hale	Pepper	Warren
Rutler	Jones, Wash.	Reed, Pa.	Willis
Capper	Keyes	Spencer	
Copeland	King	Sterling	
NAYS—45			
Ashurst	Frazier	Ladd	Sheppard
Brookhart	George	McKellar	Shipstead
Broussard	Gooding	McNary	Shortridge
Bursum	Harrell	Mayfield	Simmons
Cameron	Harris	Means	Smith
Caraway	Harrison	Neely	Stanfield
Dale	Heflin	Norris	Stanley
Dial	Howell	Oddie	Swanson
Dill	Johnson, Calif.	Overman	Trammell
Ernst	Johnson, Minn.	Phipps	
Ferris	Jones, N. Mex.	Pittman	
Fletcher	Kendrick	Ransdell	
NOT VOTING—29			
Bayard	Gerry	Moses	Underwood
Borah	Glass	Owen	Walsh, Mont.
Curtis	Greene	Ralston	Watson
Edge	La Follette	Reed, Mo.	Weller
Edwards	Lenroot	Robinson	Wheeler
Elkins	McCormick	Shields	
Fernald	McLean	Smoot	
Fess	Metcalf	Stephens	

So Mr. WADSWORTH's amendment was rejected.

The PRESIDENT pro tempore. The bill is still in Committee of the Whole and open to amendment. If no further amendment is to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The PRESIDENT pro tempore. The bill is in the Senate and open to amendment. If there be no amendments to be proposed, the amendments will be ordered engrossed and the bill to be read a third time.

The amendments were ordered to be engrossed and the bill to be read the third time.

The bill was read the third time.

The PRESIDENT pro tempore. The question now is, Shall the bill pass?

Mr. SIMMONS. I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. ROBINSON], but I am at liberty to vote on this question, and I vote "yea."

Mr. JONES of New Mexico (when his name was called). Making the same announcement as to the transfer of my pair as on the previous vote, I vote "yea."

Mr. OWEN (when his name was called). I transfer my pair with the senior Senator from West Virginia [Mr. ELKINS] to the senior Senator from Montana [Mr. WASH] and vote "yea."

Mr. REED of Pennsylvania (when his name was called). I have a general pair with the Senator from Delaware [Mr. BAYARD], but I am informed that if he were present he would vote as I intend to vote. I vote "nay."

The roll call was concluded.

Mr. SWANSON. I desire to announce that my colleague, the junior Senator from Virginia [Mr. GLASS], is paired with the senior Senator from Connecticut [Mr. McLEAN]. If my colleague were present, he would vote "yea."

Mr. DALE. My colleague, the senior Senator from Vermont [Mr. GREENE], is unavoidably detained. If he were present, he would vote "yea."

Mr. CARAWAY. My colleague, the senior Senator from Arkansas [Mr. ROBINSON], is unavoidably absent. If present, he would vote "yea."

Mr. BROUSSARD. I am paired with the senior Senator from New Hampshire [Mr. MOSES]. I transfer that pair to the senior Senator from Alabama [Mr. UNDERWOOD] and vote "yea."

Mr. HEFLIN. My colleague, the senior Senator from Alabama [Mr. UNDERWOOD] is absent on account of illness. If present, he would vote "yea."

Mr. HARRISON. My colleague, the junior Senator from Mississippi [Mr. STEPHENS] is paired on this question with the senior Senator from Rhode Island [Mr. GERRY]. If present, my colleague would vote "yea." If the senior Senator from Rhode Island were present, he would vote "nay."

Mr. JONES of Washington. I wish to announce that the senior Senator from New Hampshire [Mr. MOSES] is unavoidably absent, and if present, he would vote "nay."

I also wish to announce that the senior Senator from Indiana [Mr. WATSON] is necessarily absent. He has a general pair with his colleague, the junior Senator from Indiana [Mr. RALSTON].

The result was announced—yeas 65, nays 5, as follows:

YEAS—65			
Ashurst	Ernst	Kendrick	Reed, Mo.
Ball	Ferris	Keyes	Sheppard
Brookhart	Fess	King	Shipstead
Broussard	Fletcher	Ladd	Shortridge
Bursum	Frazier	McKellar	Simmons
Butler	George	McKinley	Smith
Cameron	Gooding	McNary	Spencer
Capper	Hale	Mayfield	Stanfield
Caraway	Harrell	Means	Stanley
Copeland	Harris	Neely	Sterling
Couzens	Harrison	Norris	Swanson
Cummins	Heflin	Oddie	Trammell
Curtis	Howell	Overman	Warren
Dale	Johnson, Calif.	Owen	Willis
Dial	Johnson, Minn.	Phipps	
Dill	Jones, N. Mex.	Pittman	
	Jones, Wash.	Ransdell	
NAYS—5			
Bingham	Reed, Pa.	Wadsworth	Walsh, Mass.
Pepper			

NOT VOTING—26

Bayard	Glass	Moses	Underwood
Borah	Greene	Norbeck	Walsh, Mont.
Edge	La Follette	Ralston	Watson
Edwards	Lenroot	Robinson	Weller
Elkins	McCormick	Shields	Wheeler
Fernald	McLean	Smoot	
Fess	Metcalf	Stephens	

So the bill was passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, its enrolling clerk, announced that the House had passed the joint resolution (S. J. Res. 174) authorizing the granting of permits to the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President elect in March, 1925, etc.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 555) for the relief of Blattmann & Co.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9343) authorizing the adjudication of claims of the Chippewa Indians of Minnesota; requested a conference with the Senate on the disagreeing votes of the two Houses thereon; and that Mr. SNYDER, Mr. LEAVITT, and Mr. HAYDEN were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendments of the Senate to the following entitled bills of the House:

H. R. 5558. An act to authorize the incorporated town of Juneau, Alaska, to issue bonds in any sum not exceeding \$200,000 for the purpose of improving the street and sewerage system of the town; and

H. R. 6070. An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within the district of Hamakua, on the island and county of Hawaii, Territory of Hawaii.

The message returned to the Senate in compliance with its request, the bill (S. 1639) to authorize the appointment of stenographers in the courts of the United States and to fix their duties and compensation.

ENROLLED BILLS SIGNED

The message further announced that the Speaker of the House had affixed his signature to the following enrolled bills, and they were thereupon signed by the President pro tempore:

H. R. 2694. An act authorizing certain Indian tribes, or any of them, residing in the State of Washington to submit to the Court of Claims certain claims growing out of treaties or otherwise;

H. R. 3669. An act to provide for the inspection of the battle fields of the siege of Petersburg, Va.; and

H. R. 8263. An act to authorize officers of the Treasury to pay to certain supply officers of the regular Navy and Naval Reserve Force the pay and allowances of their ranks for services performed prior to the approval of their bonds.

REPORT OF UNITED STATES COAL COMMISSION

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to Senate Concurrent Resolution 3, which were, in line 8, to strike out "document room" after the word "Senate," and in line 11, to strike out "document room" after the word "House," so as to make the resolution read:

Resolved by the Senate (the House of Representatives concurring), That the report of the United States Coal Commission relative to the anthracite and bituminous coal industry, with accompanying papers, charts, diagrams, and illustrations (including not to exceed one supplemental volume), be printed as a Senate document, with contents and index, and that 5,000 additional copies be printed, of which 1,100 copies shall be for the use of the Senate, 100 copies for the use of the Committee on Mines and Mining of the Senate, 3,500 copies for the use of the House, and 300 copies for the use of the House Committee on Interstate and Foreign Commerce.

Mr. PEPPER. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

BIOGRAPHICAL CONGRESSIONAL DIRECTORY

The PRESIDENT pro tempore laid before the Senate the following concurrent resolution (H. Con. Res. 43) of the House of Representatives:

Resolved by the House of Representatives (the Senate concurring), That there shall be compiled, printed, and bound, as may be directed by the Joint Committee on Printing, 4,000 copies of a revised edition of the Biographical Congressional Directory up to and including the Sixty-eighth Congress, of which 1,000 copies shall be for the use of the Senate and 3,000 copies for the use of the House of Representatives.

Mr. PEPPER. I ask that the concurrent resolution may be considered and agreed to.

The concurrent resolution was considered by unanimous consent and agreed to.

BRIDGES ACROSS ARTHUR KILL

Mr. LADD. From the Committee on Commerce I report back favorably with amendments the bill (S. 4179) to authorize the Port of New York Authority to construct, operate, maintain, and own bridges across the Arthur Kill between the States of New York and New Jersey, and I submit a report (No. 1034) thereon. I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendments were, on page 1, line 3, after the word "That," to strike out down to and including the word "per-

mit," on page 3, line 5, and insert "the consent of Congress is hereby granted to the Port of New York Authority to construct, maintain, and operate two bridges and approaches thereto across Arthur Kill, one of said bridges to be located at a point suitable to the interests of navigation in or near Perth Amboy on the New Jersey side and Tottenville on the New York side, and the other to be located at a point suitable to the interests of navigation in or near Elizabeth on the New Jersey side and Howland Hook, Staten Island, on the New York side, in accordance with the provisions of an act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906." And on page 3, to strike out lines 11 to 22, inclusive, and to renumber the sections, so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to the Port of New York Authority to construct, maintain, and operate two bridges and approaches thereto across Arthur Kill, one of said bridges to be located at a point suitable to the interests of navigation in or near Perth Amboy on the New Jersey side and Tottenville on the New York side, and the other to be located at a point suitable to the interests of navigation in or near Elizabeth on the New Jersey side and Howland Hook, Staten Island, on the New York side, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. Construction of the said bridges shall be commenced within three years, and they shall be completed within six years from the date of the passage of this act, and in default thereof the authority hereby granted shall cease and be null and void.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the Port of New York Authority to construct, maintain, and operate bridges across the Arthur Kill between the States of New York and New Jersey."

HUDSON RIVER BRIDGE

Mr. LADD. From the Committee on Commerce I report back favorably with amendments the bill (S. 4178) to authorize the Port of New York Authority to construct, operate, maintain, and own a bridge across the Hudson River between the States of New York and New Jersey, and I submit a report (No. 1033) thereon. I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendments were, on page 1, line 3, after the word "That," to strike out down to and including the word "permit" on page 3, line 4, and insert "the consent of Congress is hereby granted to the Port of New York Authority to construct, maintain, and operate a bridge and approaches thereto across the Hudson River, at a point suitable to the interests of navigation, and connecting a point between One hundred and seventieth Street and One hundred and eighty-fifth Street, Borough of Manhattan, New York City, with a point approximately opposite thereto in the Borough of Fort Lee, Bergen County, N. J., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906; and on page 3, to strike out lines 10 to 21, inclusive, and to renumber the sections, so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to the Port of New York Authority to construct, maintain, and operate a bridge and approaches thereto across the Hudson River, at a point suitable to the interests of navigation, and connecting a point between One hundred and seventieth Street and One hundred and eighty-fifth Street, Borough of Manhattan, New York City, with a point approximately opposite thereto in the Borough of Fort Lee, Bergen County, N. J., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. Construction of the said bridge shall be commenced within three years and it shall be completed within seven years from the date of the passage of this act, and in default thereof the authority hereby granted shall cease and be null and void.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the Port of New York Authority to construct, maintain, and operate a bridge across the Hudson River between the States of New York and New Jersey."

MILITARY RESERVATION ON ANASTASIA ISLAND, FLA.

Mr. FLETCHER. From the Committee on Military Affairs I report back favorably with amendments the bill (S. 4152) to authorize the Secretary of War to grant a perpetual easement for railroad right of way over and upon a portion of the military reservation on Anastasia Island, in the State of Florida, and I submit a report (No. 1035) thereon. I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendments were, on page 2, line 14, after the word "thence," to strike out "is" and insert "in"; and on page 3, line 18, after the word "purposes," to insert a colon and the following additional proviso: "Provided further, That this grant shall not become effective until there shall have been reconveyed to the United States, free from all incumbrances, the title to that portion of the existing right of way of the St. Johns Electric Co. across this reservation, which will be superseded by the new right of way," so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to grant and convey to the St. Johns Electric Co., an electric power and railroad corporation, organized and existing under and by virtue of the laws of the State of Florida, its successors and assigns, a perpetual easement, subject to the proviso in section 2 herein, for electric railroad purposes over and upon the following described property, being a part of the military reservation on Anastasia Island, in the State of Florida, to wit:

Beginning at a point in old right of way of the St. Johns Electric Co. in the northeast quarter of the northeast quarter of section 28, township 7 south, range 30 east, said point of beginning being 125 feet from the north line and 572 feet from the west line of the northeast quarter of the northeast quarter of section 28, township 7 south, range 30 east, running thence generally in a southerly direction to a point in the half-section line of section 27, township 7 south, range 30 east, said point being 181 feet east of the section line between sections 27 and 28, township 7 south, range 30 east; thence in a southeasterly direction to a point in the south line of lot 10 of section 27, township 7 south, range 30 east, said point being 326 feet east of the southwest corner of said lot 10; said perpetual easement to be 100 feet on each side of the center of the track of railroad company and 6,138 feet in length; with full power to locate and construct railroad tracks, sidings, switches, stations, and other appurtenances thereon and to use said property for any and all purposes appurtenant to its business: *Provided*, That no part of the property hereby granted shall be used for any other than railroad purposes, and that when the property above described shall cease to be so used it shall revert to the United States of America.

SEC. 2. The said conveyance shall be subject to the conditions and reversion hereinbefore provided for, and shall be used for the purposes hereinbefore described only, and shall be subject to the right of the United States in case of an emergency to assume control of, hold, use, and occupy, temporarily or otherwise, without license, consent, or leave from said corporation, any or all of said land for any and all military, naval, or lighthouse purposes, free from any conveyance charges, encumbrances, or liens made, created, permitted, or sanctioned thereon by said corporation: *Provided*, That the United States shall not be or become liable for any damages or compensation whatever to the said corporation for any future use by the Government of any or all of the above-described land for any of the above-mentioned purposes: *Provided further*, That this grant shall not become effective until there shall have been reconveyed to the United States free from all encumbrances the title to that portion of the existing right of way of the St. Johns Electric Co. across this reservation which will be superseded by the new right of way.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RETIREMENT OF WORLD WAR OFFICERS

The PRESIDENT pro tempore. The Chair lays before the Senate the special order, Senate bill 33, which will be stated.

The READING CLERK. The bill (S. 33) making eligible for retirement under certain conditions officers of the Army of the United States, other than officers of the Regular Army,

who incurred physical disability in line of duty while in the service of the United States during the World War.

Mr. BURSUM. I ask that the special order be temporarily laid aside in order to enable the Senate to consider the appropriation bill which the Senator from Washington [Mr. JONES] has in charge.

The PRESIDENT pro tempore. The Senator from New Mexico asks that the special order be temporarily laid aside. Is there objection? The Chair hears none, and it is so ordered.

ORDER FOR RECESS

Mr. JONES of Washington. Mr. President, I ask unanimous consent that when the Senate concludes its business to-day it shall take a recess until 12 o'clock to-morrow.

The PRESIDENT pro tempore. The Senator from Washington asks unanimous consent that when the Senate shall conclude its business for the day it shall take a recess until 12 o'clock to-morrow. Is there objection? The Chair hears none, and it is so ordered.

APPROPRIATIONS FOR STATE AND OTHER DEPARTMENTS

Mr. JONES of Washington. Mr. President, I ask that the Senate proceed to the consideration of the bill (H. R. 11753) making appropriations for the Departments of State and Justice and for the judiciary and for the Departments of Commerce and Labor for the fiscal year ending June 30, 1926, and for other purposes. I will say that if the request is granted I shall ask the Senate to consider only the last amendment in the bill, on page 91, in which the two Senators from New York are interested. They can not be here to-morrow.

The PRESIDENT pro tempore. The Senator from Washington asks unanimous consent to proceed to the consideration of House bill 11753.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11753) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1926, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. JONES of Washington. I ask unanimous consent that the formal reading of the bill may be dispensed with and the bill read for amendments, committee amendments to be disposed of first.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Washington? The Chair hears none and it is so ordered.

Mr. COPELAND. Mr. President, may I ask the Senator from Washington to defer action on one amendment until Monday? He can then take care of the entire bill to-morrow, with that exception, and on Monday my colleague and I will both be here, and that matter can be taken care of.

Mr. JONES of Washington. I was in hopes we could dispose of that amendment to-night.

Mr. COPELAND. What I have to say will take considerable time.

Mr. JONES of Washington. I was in hopes we could get the bill disposed of to-morrow.

Mr. COPELAND. The Senator can make disposition of everything except the one amendment, and that can be taken care of early on Monday. I hope the Senator will agree to that course.

Mr. JONES of Washington. The Senator thinks that we could not dispose of that amendment to-night?

Mr. COPELAND. It will take a long time for me to say what I wish to say.

Mr. JONES of Washington. That makes it all the more important that we should get along with it.

Mr. COPELAND. I hope that consent may be given to do as I have suggested.

Mr. JONES of Washington. I had hoped that we could get that disposed of to-night, and I had thought probably we could do so, but I appreciate the Senator's position. I understand that the two Senators from New York will be away to-morrow, and that this is an amendment in which they are both peculiarly interested; I know that; and so I will have this understanding with them, if no other Senator objects, that we will try to dispose of this bill to-morrow except for that amendment, and leave that to go over until Monday.

Mr. COPELAND. I thank the Senator.

Mr. GOODING. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Idaho?

Mr. JONES of Washington. I yield.

PEND D'OREILLE RIVER BRIDGE, IDAHO

Mr. GOODING. Out of order, I ask unanimous consent for the immediate consideration of the bill (H. R. 11706) to authorize the construction of a bridge across the Pend d'Oreille River, Bonner County, Idaho, at the Newport-Priest River Road crossing, Idaho.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the bill?

Mr. BURSUM. Are there any amendments to it?

Mr. GOODING. No; it is a bridge bill from the House of Representatives without amendment.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The PRESIDENT pro tempore. Without objection, the bill will be considered as having passed through the parliamentary stages.

Mr. REED of Pennsylvania. I ask similar action in the case of Calendar No. 1082, being the bill (H. R. 11367) granting the consent of Congress to the county of Allegheny, in the Commonwealth of Pennsylvania, to construct, maintain, and operate a bridge across the Monongahela River at or near its junction with the Allegheny River in the city of Pittsburgh, in the county of Allegheny, in the Commonwealth of Pennsylvania.

There is necessity for considerable haste in the construction of the bridge provided for in the bill.

Mr. JONES of Washington. Mr. President, I will inquire what is the bill that the Senator from Idaho asked to have considered.

Mr. McKELLAR. It is a bridge bill.

Mr. GOODING. It is House bill 11706.

Mr. JONES of Washington. To whom does the bill give permission to build a bridge?

Mr. GOODING. I do not know to whom the permission is granted, but it is merely a bridge bill which has passed the House of Representatives.

Mr. JONES of Washington. Is it the bill that grants the consent of Congress to a Mr. Beardmore to build the bridge?

Mr. GOODING. I think that is the bill.

Mr. JONES of Washington. Well, if the bill has been passed I shall have to ask that the votes by which the bill was read the third time and passed shall be reconsidered. I hope the Senator will not object to that. If he does, I will have to enter a motion to reconsider.

Mr. GOODING. I shall not object to that, of course, although I should like to have the bill passed.

Mr. JONES of Washington. If we may have the vote reconsidered, I will speak to the Senator about it. I did not know that the bill had passed.

Mr. FLETCHER. Let the bill remain on the calendar.

Mr. JONES of Washington. Yes; just let it remain on the calendar. I ask that the vote by which the bill was ordered to a third reading and passed may be reconsidered.

The PRESIDENT pro tempore. The bill has not been passed.

Mr. JONES of Washington. Then, I want to object to its consideration.

The PRESIDENT pro tempore. Objection is made.

Mr. JONES of Washington. I will speak to the Senator from Idaho with reference to the bill later.

LIMITS OF COST OF CERTAIN NAVAL VESSELS

Mr. HALE. Mr. President—

Mr. JONES of Washington. I yield to the Senator from Maine.

Mr. HALE. I ask unanimous consent for the immediate consideration of the bill (H. R. 11282) to authorize an increase in the limits of costs of certain naval vessels.

Mr. JONES of Washington. Will the bill lead to debate?

Mr. HALE. I think it will not lead to debate.

Mr. OVERMAN. I ask that the bill be read.

The bill was read, as follows:

Be it enacted, etc., That the limits of cost for the construction of the United States ships Lexington and Saratoga, the conversion of which vessels into airplane carriers, in accordance with the terms of the treaty providing for the limitation of naval armament, was authorized by the act of July 1, 1922, is hereby increased to \$34,000,000 each.

Mr. HALE. I can explain in a moment the purpose of the bill.

Mr. WADSWORTH. I do not think the Senator need explain the bill.

Mr. HALE. Very well.

Mr. KING. Mr. President, I merely wish to call attention to the fact that we have had a Limitation of Arms Conference which was presumed to limit the cost of our Navy. We will

expend this year more than \$300,000,000 for the Navy and a little less for the Army; we will expend substantially \$600,000,000 for the Army and Navy in peace times; all of which demonstrates that the Limitation of Arms Conference effectuated very great reforms.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXECUTIVE SESSION

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

TERMS OF THE DISTRICT COURT OF MISSISSIPPI

Mr. HARRISON. I ask unanimous consent for the present consideration of the bill (H. R. 466) to amend section 90 of the Judicial Code of the United States, approved March 3, 1911, so as to change the time of holding certain terms of the District Court of Mississippi.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, and it was read as follows:

Be it enacted, etc., That section 90 of the Judicial Code be, and the same is hereby, amended to read as follows:

"SEC. 90. The State of Mississippi is divided into two judicial districts to be known as the northern and southern districts of Mississippi. The northern district shall include the territory embraced on the 1st day of December, 1923, in the counties of Alcorn, Attala, Chickasaw, Choctaw, Clay, Itawamba, Lee, Lowndes, Monroe, Oktibbeha, Pontotoc, Prentiss, Tishomingo, and Winston, which shall constitute the eastern division of said district; also the territory embraced on the date last mentioned in the counties of Benton, Calhoun, Carroll, De Soto, Grenada, Lafayette, Marshall, Montgomery, Panola, Tate, Tippecanoe, Union, Webster, and Yalabusha, which shall constitute the western division of said district; also the territory embraced on the date last mentioned in the counties of Bolivar, Coahoma, Leflore, Quitman, Sunflower, Tallahatchie, and Tunica, which shall constitute the Delta division of said district. The terms of the district court for the eastern division shall be held at Aberdeen on the first Mondays in April and October; and for the western division, at Oxford on the third Monday in April and the first Monday in December; and for the Delta division, at Clarksdale on the fourth Monday in January and the third Monday in October. The southern district shall include the territory embraced on the 1st day of December, 1923, in the counties of Amite, Copiah, Covington, Franklin, Hinds, Holmes, Jefferson Davis, Lawrence, Leake, Lincoln, Madison, Pike, Rankin, Simpson, Smith, Scott, Wilkinson, and Yazoo, which shall constitute the Jackson division; also the territory embraced on the date last mentioned in the counties of Adams, Claiborne, Humphreys, Issaquena, Jefferson, Sharkey, Warren, and Washington, which shall constitute the western division; also the territory embraced on the date last mentioned in the counties of Clarke, Jones, Jasper, Kemper, Lauderdale, Neshoba, Newton, Noxubee, and Wayne, which shall constitute the eastern division; also the territory embraced on the date last mentioned in the counties of Forrest, George, Greene, Hancock, Harrison, Jackson, Lamar, Marion, Perry, Pearl River, Stone, and Walthall, which shall constitute the southern division of said district. Terms of the district court for the Jackson division shall be held at Jackson on the first Mondays in May and November; for the western division, at Vicksburg on the third Mondays in May and November; for the eastern division, at Meridian on the third Mondays in March and September; and for the southern division, at Biloxi on the third Monday in February and the first Monday in June. The clerk of the court for each district shall maintain an office in charge of himself or a deputy at each place in his district at which court is now required to be held, at which he shall not himself reside, which shall be kept open at all times for the transaction of the business of the court. The marshal for each of said districts shall maintain an office in charge of himself or a deputy at each place of holding court in his district."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RECESS

Mr. CURTIS. I move that the Senate take a recess, the recess being under the previous order until noon to-morrow.

The motion was agreed to; and (at 5 o'clock and 30 minutes p. m.) the Senate took a recess until to-morrow, Saturday, February 7, 1925, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 6 (legislative day of February 3), 1925

COLLECTOR OF CUSTOMS

Miner G. Norton, of Cleveland, Ohio, to be collector of customs for customs collection district No. 41, with headquarters at Cleveland, Ohio, in place of W. Burr Gongwer, whose term of office expired May 31, 1924.

UNITED STATES DISTRICT JUDGE

Thomas W. Slick, of Indiana, to be United States district judge, district of Indiana, under the provisions of an act approved January 16, 1925, providing for an additional United States district judge for the district of Indiana.

UNITED STATES MARSHAL

Millard M. Owens, of Florida, to be United States marshal, northern district of Florida, vice Peter H. Miller, resigned.

POSTMASTERS

ALABAMA

Rupert M. Bearden to be postmaster at West Blocton, Ala., in place of W. W. Perry. Incumbent's commission expired June 4, 1924.

CALIFORNIA

Eugene L. Ely to be postmaster at Kentfield, Calif., in place of Henry DeSoto, resigned.

COLORADO

Burgis G. Coy to be postmaster at East Portal, Colo., in place of B. G. Coy. Office became third class October 1, 1924.

CONNECTICUT

Fred T. Koehler to be postmaster at Windsor Locks, Conn., in place of J. F. Oates. Incumbent's commission expired June 5, 1924.

FLORIDA

Helen Arbuthnot to be postmaster at Lake Alfred, Fla., in place of E. O. Garcia, resigned.

Herbert L. Elland to be postmaster at Baker, Fla., in place of H. L. Elland. Office became third class April 1, 1924.

GEORGIA

Lelia Morgan to be postmaster at Sycamore, Ga., in place of Marijo McMillan. Incumbent's commission expired February 4, 1924.

Helen B. Wiley to be postmaster at Rockmart, Ga., in place of J. F. Dever, deceased.

Josie M. Crawford to be postmaster at Dalton, Ga., in place of J. A. Crawford, deceased.

ILLINOIS

Myrtle L. Schroeder to be postmaster at Addieville, Ill., in place of L. P. Schroeder. Office became third class April 1, 1924.

IOWA

Arthur M. Michaelson to be postmaster at Roland, Iowa, in place of S. E. E. Thompson. Incumbent's commission expired June 5, 1924.

Leona M. Haffner to be postmaster at Donnellson, Iowa, in place of Chris Haffner, deceased.

LOUISIANA

Edward J. Templet to be postmaster at Pharr, La., in place of K. S. Foster, resigned.

Lola M. Hutchings to be postmaster at Bossier, La., in place of L. M. Hutchings. Office became third class April 1, 1924.

MARYLAND

Shadrach G. Sparks to be postmaster at Sparks, Md., in place of S. G. Sparks. Office became third class January 1, 1925.

MICHIGAN

Albert Steinen to be postmaster at Painesdale, Mich., in place of Albert Steinen. Incumbent's commission expired June 4, 1924.

Frank Leonard to be postmaster at Hubbell, Mich., in place of P. J. Scanlon. Incumbent's commission expired June 4, 1924.

Ronald H. Macdonald to be postmaster at Dollar Bay, Mich., in place of R. H. Macdonald. Incumbent's commission expired August 8, 1923.

Julius P. White to be postmaster at Kearsarge, Mich., in place of R. M. Smith, resigned.

MINNESOTA

Joseph A. Schoenhoff to be postmaster at Sauk Center, Minn., in place of J. A. Schoenhoff. Incumbent's commission expired June 5, 1924.

John Jacobs to be postmaster at Richmond, Minn., in place of P. P. Ruegamer. Incumbent's commission expired February 18, 1924.

Fred C. Nehring to be postmaster at Paynesville, Minn., in place of W. A. Huntington. Incumbent's commission expired June 5, 1924.

Alvin E. Comstock to be postmaster at Lakefield, Minn., in place of A. L. Eriksen. Incumbent's commission expired June 5, 1924.

MISSISSIPPI

James J. Hiller to be postmaster at Calhoun City, Miss., in place of J. J. Hiller. Incumbent's commission expired January 28, 1924.

MISSOURI

Gustav F. Duensing to be postmaster at Freeman, Mo., in place of Ellen Van Meter. Office became third class July 1, 1924.

NEW MEXICO

George A. Titsworth to be postmaster at Capitan, N. Mex., in place of C. J. Larsen. Incumbent's commission expired February 4, 1924.

NEW YORK

Bertha Howland to be postmaster at Lisle, N. Y., in place of F. P. Edmister. Office became third class October 1, 1924.

NORTH CAROLINA

Jesse L. Riggs to be postmaster at Bayboro, N. C., in place of F. C. Brinson, resigned.

NORTH DAKOTA

Katherine Ritchie to be postmaster at Valley City, N. Dak., in place of W. W. Smith. Incumbent's commission expired July 28, 1923.

OKLAHOMA

Joseph T. Dillard to be postmaster at Waurika, Okla., in place of C. D. Snider. Incumbent's commission expired November 8, 1923.

Oscar F. Fowler to be postmaster at Redrock, Okla., in place of H. E. Brinson, resigned.

PENNSYLVANIA

William M. Kelvington to be postmaster at Meadow Lands, Pa., in place of G. H. Kelvington. Office became third class April 1, 1924.

George C. Brown to be postmaster at Masontown, Pa., in place of C. H. Howard, resigned.

James W. McCurdy to be postmaster at Jackson Center, Pa., in place of G. R. Jones, resigned.

Hobart M. Lord to be postmaster at Hastings, Pa., in place of G. E. Baldwin, resigned.

Lucy Hawkins to be postmaster at Export, Pa., in place of J. D. Hart, failed to qualify.

SOUTH DAKOTA

Thomas R. Worsley to be postmaster at Witten, S. Dak., in place of T. R. Worsley. Office became third class January 1, 1925.

TEXAS

Malcolm Shaw to be postmaster at Carthage, Tex., in place of R. D. Tiller. Incumbent's commission expired January 31, 1924.

VIRGINIA

Edgar E. Rawlings to be postmaster at Capron, Va., in place of A. E. Drewry, resigned.

WASHINGTON

Ruth Randall to be postmaster at Prescott, Wash., in place of F. J. Fleischer, resigned.

WEST VIRGINIA

William H. Cheeks to be postmaster at Hollidays Cove, W. Va., in place of D. M. Shakley, resigned.

WYOMING

Carrie A. Scanlin to be postmaster at Megeath, Wyo., in place of T. A. Marshall. Office became third class July 1, 1923.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 6 (legislative day of February 3), 1925

PUBLIC HEALTH SERVICE

TO BE SENIOR SURGEON

Taliaferro Clark.

TO BE SURGEONS

Robert W. Hart.
Clifford R. Eskey.
Walter T. Harrison.
Rolla E. Dyer.

Charles Armstrong.
Justin K. Fuller.
Vance B. Murray.

TO BE PASSED ASSISTANT SURGEONS

Lester C. Scully. Marion R. King.
Floyd C. Turner.

TO BE ASSISTANT SURGEONS

Edwin H. Carnes. Ernest E. Huber.
Lucius F. Badger. Albert E. Russell.
Adolph S. Rumreich. Alfred J. Aselmeyer.

DIRECTOR OF THE COAST AND GEODETIC SURVEY

TO BE DIRECTOR WITH RELATIVE RANK OF CAPTAIN IN THE NAVY

Ernest Lester Jones.

POSTMASTERS

ALABAMA

William M. Pugh, Red Bay.

ALASKA

Grace Brook, Fort Yukon.

ILLINOIS

John L. Lewandowski, Calumet City.
Paul R. Beebe, Forreston.
Jesse E. Meharry, Tolono.
Frank Z. Carstens, Woodriver.

IOWA

Matt Olson, Clear Lake.
Finley E. Dutton, Manchester.
Guy C. Wilhelm, Modale.
Ren S. Bosley, Newhall.
Arthur M. Foster, Storm Lake.

LOUISIANA

Louise L. Bass, Willetts.
Nellie M. Landrum, Woodsworth.

MASSACHUSETTS

Charles C. Starratt, Ocean Bluff.

MISSOURI

Lonnie W. Hoover, Princeton.
Ralph W. Day, Summersville.

NEW JERSEY

Charles Carter, Mount Ephraim.
Joseph Kish, Nixon.

VIRGINIA

Newton F. Smith, Berryville.
John M. B. Lewis, Lynchburg.

WEST VIRGINIA

Roscoe C. Damron, Branchland.
Blanche P. Reed, Clay.
Leonard S. Echols, Charleston.
Henry E. Crews, Edwight.
Albert A. Drinkard, Elbert.
James T. Keeney, Eskdale.
Lutie Vicars, Fort Gay.
Harry F. Cunningham, Grant Town.
Thomas O. Wash, Kayford.
Ora E. Gay, Libow.
Joseph W. Thornbury, Man.
William W. Wolfe, Mount Clare.
Andrew B. Canterbury, Pax.
Clifton M. Spangler, Peterstown.
J. Wade Bell, Quinwood.
Willard M. Mason, Seth.
John S. Walker, Sharples.
James H. Reid, Slab Fork.
Harry M. Slush, Whitesville.

HOUSE OF REPRESENTATIVES

FRIDAY, February 6, 1925

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Lead on, O King eternal, and make plain the way of duty. As the days are big with responsibilities, may they be rich with results. Permit nothing to cloud our wisdom or to weaken our strength. May failures not depress or discouragements leave their marks. Let us accept them with patience as part of life's discipline. May we trust Thy unfailing love and unerring wisdom, for these shall far outlast the limitations of man. Establish hope eternal in all our breasts and allow nothing to obscure or hide Thy face from us. Guide us when the way is confused and the sky is overcast and be the lamp of life unto our pathways. Through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 5197. An act to amend section 71 of the Judicial Code as amended; and

H. R. 10528. An act to refund taxes paid on distilled spirits in certain cases.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the amendments of the Senate Nos. 1, 7, and 9 to the bill (H. R. 11248) making appropriations for the military and non-military activities of the War Department for the fiscal year ending June 30, 1926, and for other purposes.

That the Senate had receded from its amendment No. 42 to said bill.

The message also announced that the Senate had passed the following order:

Ordered, That the bill (S. 2693) entitled "An act in reference to writs of error" be returned to the House of Representatives in compliance with its request.

ENROLLED BILLS SIGNED

Mr. ROSENBLUM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 2694. An act authorizing certain Indian tribes, or any of them, residing in the State of Washington to submit to the Court of Claims certain claims growing out of treaties, or otherwise;

H. R. 3669. An act to provide for the inspection of the battle fields of the siege of Petersburg, Va.;

H. R. 8263. An act to authorize the General Accounting Office to pay to certain supply officers of the regular Navy and Naval Reserve Force the pay and allowances of their ranks for services performed prior to the approval of their bonds; and

H. R. 10404. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1926, and for other purposes.

THE FORDNEY-M'CUMBER TARIFF

Mr. O'CONNOR of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record upon the subject of the tariff.

The SPEAKER. Is there objection?

There was no objection.

Mr. O'CONNOR of New York. Mr. Speaker, after spirited debate we have voted to provide over \$700,000 for the requirements of the Tariff Commission during the coming fiscal year. The matter is of great interest not only to Members of this body but to the entire country, because it again focuses attention on that bane of our people's existence, the tariff.

In the national election of last November the most important issue with which the country is concerned was practically lost sight of because of discussions pertaining to more spectacular and less intricate matters, such as dishonesty in public office and violation of public trusts. This was indeed unfortunate, because the most far-reaching line of demarcation between the two great political parties is still the tariff.

Since September, 1922, when the Fordney-McCumber Tariff Act became a law the country has struggled under a burden of \$4,000,000,000 imposed annually in indirect taxes, of which only one-tenth has gone into the United States Treasury. The remaining \$3,500,000,000 has gone into the pockets of the protected interests. At the time of its enactment the entire country became aroused at the iniquity of the measure, and the press and the leading publicists of the Nation, irrespective of their political affiliations, denounced the measure as the grossest injustice yet done to a people in the guise of raising revenue. By adroit political maneuvering the Republican administration since in power, however, has done absolutely nothing to remedy the situation or relieve the burden. The whole subject has been camouflaged by smoke screens of other issues, such as "tax reduction" and "economy"—all raised to divert attention from the greatest tax burden of all—the tariff.

Direct taxes, such as the income tax and excise taxes are paid by only about 6,000,000 people and are infinitesimal compared with the exactions of the present Republican tariff which are borne by every one of our 110,000,000 people. Likewise the much-mouthing proposals and preachings of "economy" in Government expenditures, even if sincerely carried out, mean little in savings to the entire population of the country as compared to an honest revision of the present tariff law.